

FILE NO.:

Total: 450:



OFFICE FILE NOS 566  
VOL-2

Name	Shri Mahesh P. Kama
Address	Personal file
Subject	(Accountant, (A.F.C.) Dy. F.C. File No. _____)
Year	13.12.1982 To _____
Tel. No.	_____ Fax. No. _____



760

KTC/PERS/3(165)/2006-2007/ 1979  
Kadamba Transport Corporation Limited,  
Paraiso-de-Goa., Aito-porvorim,  
Bardez - Goa.,  
Date:- 16<sup>th</sup> September, 2006

TRANSFER ORDER

Due to administrative convenience, Mrs. Vijayalaxmi Borcar, Upper Division Clerk (TBPS) attached to Civil Engineering department, Head Office is hereby transferred and posted to the Office of the Dy. Financial Controller (Costing & Budgeting), Head Office, Porvorim with immediate effect. She is directed to report to the Dy. Financial Controller (Costing & Budgeting) Head Office, Porvorim for further orders.

This order shall be complied by 19/9/2006 positively.

*Pawase*  
( T. K. Pawase )  
PERSONNEL MANAGER

To,  
Mrs. Vijayalaxmi Borcar,  
Upper Division Clerk (TBPS),  
Civil Engineering Department,  
KTCL, Head Office, Porvorim.

Copy to:-

1. The P. A. Managing Director for information
2. The Assistant Engineer (Civil), : He is requested to relieve Mrs. V. Borcar, UDC, by 16/9/2006 positively.
3. The Dy. Financial Controller (Costing & Budgeting) : He is requested to forward her joining report to this Office for records.
4. The Dy. General Manager ( Traffic & Admin.)
5. The Asstt. Financial Controller, Porvorim
6. Pers. File.
7. OIC.,
8. G/Fin.,



566

21 75

No.KTC/PERS/3/2006-07/5 48  
Kadamba Transport Corpn.Ltd.,  
Alto Porvorim, Bardez-Goa.

Date: 16<sup>th</sup> May,2006

TRANSFER ORDER

Due to public interest and administrative convenience, Shri Mahesh P. Kamat, Officer On Special Duty is hereby transferred and posted in Accounts Dept. as Dy. financial Controller(Costing & Budgeting) with immediate effect.

Shri M. P. Kamat, O.S.D. should take the charge of the post by 22/05.2006 positively.

The order shall come into the force with immediate effect.

( S. V. NAIK )  
Managing Director

To.  
Shri Mahesh P. Kamat,  
Officer On Special Duty,  
Kadamba Transport Corpn.Ltd.,  
Head Office

C c. 1. to the Hon'ble Chairman - for favour of kind information.

Copy to:

1. The General Manager - for information.
2. Dy. General Manager (Trf & Admn) - for information.
3. The Asst. Financial Controller - for information.
4. Personnel File.
5. Office copy.
6. Guard file.
7. All Sectional Heads.

1/10 AM  
Received



DRAFT

① 758

No.KTC/PERS/3/2006-07/ 548  
Kadamba Transport Corpn.Ltd.,  
Alto Porvorim, Bardez-Goa.

Date: 16<sup>th</sup> May, 2006

TRANSFER ORDER

Due to public interest and administrative convenience, Shri Mahesh P. Kamat, Officer On Special Duty is hereby transferred and posted in Accounts Dept. as Dy. financial Controller (Costing & Budgeting) with immediate effect.

Shri M. P. Kamat, O.S.D. <sup>should</sup> take the charge of ~~the~~ post by 22/05/06 positively.

The order shall come into the force with immediate effect.

( S. V. NAIK )  
Managing Director

To,  
Shri Mahesh P. Kamat,  
Officer On Special Duty,  
Kadamba Transport Corpn.Ltd.,  
Head Office.

C c. 1. to the Hon'ble Chairman - for favour of kind information.

Copy to:

1. The General Manager - for information.
2. Dy. General Manager (Trf & Admn) - for information,
3. The Asst. Financial Controller - for information,
4. Personnel File,
5. Office Copy,
6. Guard file,
7. All Sectional Heads.



C/N

957

NOTE

Date: 26.5.2006

Note dated 22.5.2006 received from Shri M. P. Kamat O.S.D. is place herewith. He says that,

1. The post designated Dy.Financial controller(Costing & Budgeting) is filled up in the Corporation for the first time since inception and requested to inform
  - a) The grade of the post.
  - b) The pay scale of the post
2. The sitting place alloted to him not yet decided.
3. Staff alloted to him as Dy.Fin.Controller (Costing & Budgeting)
4. The rights, duties and responsibilities assigned to the Departement and head of the Department.
5. To whom charge of O.S.D. to be handed over and from whom the charge of Dy.Financial Controller(Costing & Budgeting) to be taken over.

In this connection, it is submitted that, Shri M.P. Kamat, O.S.D. Is transfered as Dy.Financial Controller (Costing & Budgeting) vide order dtd. 16.5.2006. His request may please be seen for appropriate decision.

Submitted please.

P./o

@  
400.

Amendment to the existing Recruitment Rules and framing of Recruitment Rules of new posts <sup>proposed to be</sup> created is in process and it will take time. The R.R for the post of Dy. Financial Controller (Costing & Budgeting) will also be framed based on note at pg 6

1. - The post of Dy. F.C (Costing & Budgeting) will be "A" grade post in the pay scale of Rs 10,000-325-15200/-
- 2 - Suitable sitting arrangement is required to be



2N

made by Civil Engineering Dept. The matter were ~~passed~~ taken with AC(Civil) and be info that presently there is no vacant cabin in Accounts Dept.

- 3 - Arrangement to shift one case from Accounts Dept (HO) is required to be finalised
- 4 - Duties and responsibilities attached to the post of Dy Ac (Cash & Budget) are at Pg 3.
- 5 - He will continue to hold the charge of job till alternative arrangements are made.

~~Submitted~~  
 - We have to finalise the sitting arrangement providing him staff urgently

- Submitt

Mur  
26/5

Dep GM: not available

Addendum is issued. It propose staff to be posted. Sitting arrangements be worked out in consultation with civil Dept

~~MS~~  
28/5/2015

~~MS~~  
28/5/2015

P.P.

We may post one case knowing typist and computer operation from Accounts Dept, HO.



3/11

755

It is confirmed by AC (Civil) that he has discussed with higher authorities regarding the seating arrangement to be made.

By PM we have to provide one C.L.D.C. to Dy. F.C. (Costing & Budgetary) and define his duties & responsibilities. R/R of the post need also to be framed by M.D. may please direct P. Macewry

Received on 26/10/06

ms

24/6

For the time being one CH DE may be provided to Dy. F.C. (C & B). Also put up the Draft - RR's. Posting of other staff if any could be decided at a later date.

Shree  
28/06/06.

Received on 29/10/06

P.M.

As discussed proposal be made to place before M.D. for approval and release transfer orders.

However  
PM 13/8/06

M. Lalit.

Re-submitted,

Date:- 22/8/2006.

As above, one C.L.D.C. is proposed to be provided to Dy. Financial Controller ( Costing & Budget ). However, as discussed, the Computerisation of Head Office is geared-up. Considering the Computerisation, it was preliminary worked out that, each department of the head Office is having minimum one



754

4/10

CLDC/UDC each excess.

Considering finalisation of computerisation and final review of excess staff, it was discussed and directed to withdraw one UDC from Civil Engineering department who is conversent in typing work.

Accordingly, as directed, Mrs. Vijayalaxmi Borcar, UDC attached to Civil Engineering is proposed for transfer to the disposal of Dy. Financial Controller ( Costing & Budget ).

Submitted for approval please.

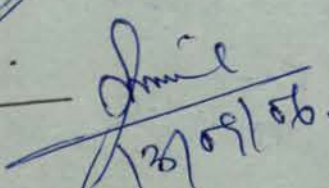
  
C.L.D.C.

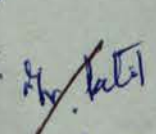
PERSONNEL MANAGER

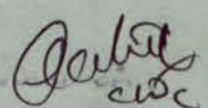
As discussed, proposal is placed herewith for approval. If approval, order will be issued accordingly. Submittal.

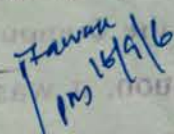
Forward  
PM 28/8/6

~~Dy. PM/MD~~ we may post Mrs. V. Borcar UDC for civil dept to Dy. FC (Costing & Budgeting)  
Date 13/9

~~M.D.~~  
  
28/09/06

~~PM~~  
  
14/9/6  
Re-submitted

As directed, transfer order is placed for signature  
Dt 16/9/06  
  
C.L.D.C.

Submitted  
PM  
  
16/9/6



KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 1161  
Date: 20/5/06

1152  
10/5/06  
753



Court of the Judicial Magistrate First Class  
In the District & Sessions Court

At .....Margao.....

Cr. Sessions Case No. 71/P/98/D of 19

SUMMONS TO A WITNESS

To The Managing Director, KTC, Panaji Goa.

PO. to attend the court with original letter dt. 29/12/97 as set 'A' below

Matter is attended and original copy letter is filed as per enclosed by the Counsel  
12/5

WHEREAS complaint has been made before me that acc. Vallabhai Vishnudas

sinai Kuncolienkar, B-9 Mahanagar<sup>of</sup>, Madel, Behind Dr. Rebellos Hospital has committed the offence of u/s 500 Cr.P.C. Margao

on or about the .... day of ..... 19 .. at ...

and it appears to me that you are likely to give material evidence for the

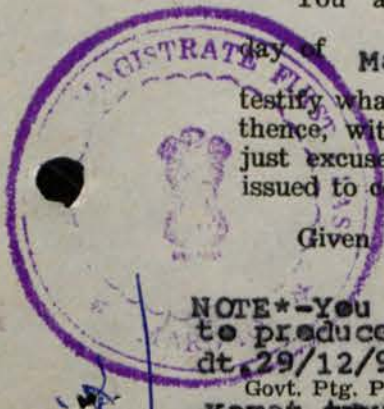
You are hereby summoned to appear before this Court on the 11th day of May, 2006 19 at 2.30 p.m. hours to

testify what you know concerning the matter of the said complaint, and not to depart thence, without leave of the Court; and you are hereby warned that if you shall, without just excuse, neglect or refuse to appear at the said time and place a warrant will be issued to compel your attendance.

Given under my hand and the Seal of the Court this 5th day of May 192006.

NOTE\*-You are hereby directed to produce original letter dt. 29/12/97, sent by Mahesh ( Smita Redkar ) : Superintendent Asst. Sheristad ( By order of Sessions Judge )

Govt. Ptg. Press, Panaji-Goa - 941/40,000 - 2/1999  
Kamat





(169)

UG

A-15

752

KADAMBA TRANSPORT CORPORATION LTD  
10/169  
29.12.97

From: Shri Mahesh P. Kamat,  
Statistical Officer,  
Kadamba Transport Corporation Ltd,  
Panaji Goa.

Date: 29-12-1997

To,  
The Managing Director,  
Kadamba Transport Corporation Ltd,  
New Bus stand,  
Panaji Goa.

16/c  
Bom Post/D-6  
18/1/02  
M. P. Kamat

Sir,

Ref: Order No. KTC/PERS/5/97-98/2502 dated  
17-12-1997.

I acknowledge the receipt of order dated 17-12-1997,  
actually received by me to-day i.e. 29-12-1997 at 8.00 a.m.  
and pursuant to the directions contained therein I am reporting  
to you which ~~is~~ to-day i.e. 29-12-1997 after

Yours faithfully,

*(Signature)*  
(M. Mahesh P. Kamat)

Copy to:

- 1) Shri S.M. Bhaa, S.O. / Enquiry Officer,
- 2) Personnel Department.
- 3) Accounts Department.

OST malle  
him  
managerat pending

Final

29/12/97  
*(Signature)*

It is suitably instructed to carry out  
setting arrangement as discussed with PO.  
This is now sent to PO. for a/c. at his cell.

29/12/97  
*(Signature)*

29/12/97  
*(Signature)*



4. V. S. No.  
Personnel Department  
INWARD No. 6593  
DATE 29/12

From: Shri Mahesh P. Kamat,  
Statistical Officer,  
Kadamba Transport Corpora-  
tion Ltd,  
Ramajm91a Panjim Goa.

Date: 29-12-1997

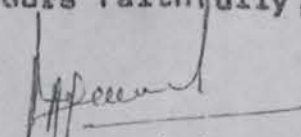
To,  
The Managing Director,  
Kadamba Transport Corporation Ltd,  
New Bus stand,  
Panaji Goa.

Sir,

Ref: Order No. KTC/PERS/S/97-98/2502 dated  
17-12-1997.

I acknowledge the receipt of order dated 17-12-1997,  
actually received by me to-day i.e. 29-12-1997 at 9.00 a.m.  
and pursuant to the directions contained therein I am reporting  
to you which ~~by a note~~ to-day i.e. 29-12-1997 afternoon.

Yours faithfully,

  
(Mahesh P. Kamat)

Copy to:

- 1) Shri S.H. Bhat, S.O. / Enquiry Officer,
- 2) Personnel Department.
- 3) Accounts Department.



(162)

U6

10469  
97.12.27

659

150

From: Shri Mahesh P. Karat,  
Statistical Officer,  
Kadamba Transport Corpora-  
tion Ltd,  
Panaji Goa.

Date: 29-12-1997

To,  
The Managing Director,  
Kadamba Transport Corporation Ltd,  
New Bus stand,  
Panaji Goa.

16/c  
Bx Post/D-6  
12/11/97  
M.P. Karat

Sir,

Ref: Order No. KTC/PER3/5/97-98/2502 dated  
17-12-1997.

I acknowledge the receipt of order dated 17-12-1997,  
actually received by me to-day i.e. 29-12-1997 at 9.00 a.m.  
and pursuant to the directions contained therein I am reporting  
to you which I received to-day i.e. 29-12-1997 at 9.00 a.m.

Yours faithfully,

*(Signature)*  
(Mahesh P. Karat) JB

Copy to:

- 1) Shri S.H. Bhat, S.O. / Enquiry Officer,
- 2) Personnel Department.
- 3) Accounts Department.

OST make  
him sitting  
arrangement pending

Final

29/12/97  
*(Signature)*  
29/12

He is suitably instructed to carry out  
setting arrangement as discussed with PO.  
This is now sent to PO for action at his end.

29/12/97  
*(Signature)*

29/12  
*(Signature)*



E-2/3

2/3  
749  
To. KTC/PERS/(566)/06-07/ 520  
Kadamba Transport Corpn.Ltd.,  
Alto Porvorim-Goa.


Date: 6.5.2006

To,  
Shri M. P. Kamat,  
O.S.D.,  
K.T.C.L.,  
Alto, Porvorim-Goa.

- Ref: 1. Transfer Order No.KTC/PERS/3/2005-06  
2964 dated 7.1.2006  
2. Your letter dtd. 10.1.2006.

With reference to above, it is regretfully noted that, you are reluctant to work on the post assigned and to honour the subject transfer order. Further wording used by you in the said letter such as "I would be compelled to fulfill the expectations of the Management as desired of me vide the Charge Sheet dated 04.03.1998. In the process, the confrontations are inevitable and might create the problems for the Department rather than solving the problems as might be contemplated under Transfer Order dated 07.01.2006" is not acceptable.

However, Management has agreed to keep the said order in abeyance and desires that the services of the Senior Officer like you be utilized in the best possible manner and as such a suitable duties without living any room for apprehensions as raised by you in your letter, will be allotted to you at the earliest.

  
( S. V. NAIK )  
Managing Director

o/c

Cond  
M  
19/5/06



(657) (749)

No.KTC/PERS/(566)/06-07/ 520  
Kadamba Transport Corpn.Ltd.,  
Alto Porvorim-Goa.

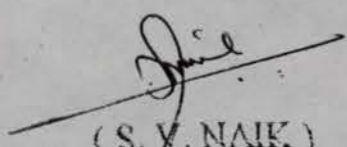
Date: 6.5.2006

To.  
Shri M. P. Kamat,  
O.S.D.,  
K.T.C.L.,  
Alto, Porvorim-Goa.

- Ref: 1. Transfer Order No.KTC/PERS/3/2005-06  
2964 dated 7.1.2006  
2. Your letter dtd. 10.1.2006.

With reference to above, it is regrettably noted that, you are reluctant to work on the post assigned and to honour the subject transfer order. Further wording used by you in the said letter such as "I would be compelled to fulfill the expectations of the Management as desired of me vide the Charge Sheet dated 04.03.1998. In the process, the confrontations are inevitable and might create the problems for the Department rather than solving the problems as might be contemplated under Transfer Order dated 07.01.2006" is not acceptable.

However, Management has agreed to keep the said order in abeyance and desires that the services of the Senior Officer like you be utilized in the best possible manner and as such a suitable duties without living any room for apprehensions as raised by you in your letter, will be allotted to you at the earliest.

  
( S. V. NAIK )  
Managing Director

P F



749

No.KTC/PERS/(566)/06-07/ 520  
Kadamba Transport Corpn.Ltd.,  
Alto Porvorim-Goa.

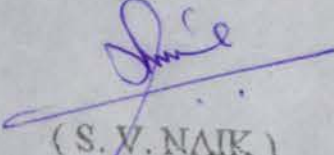
Date: 6.5.2006

To,  
Shri M. P. Kamat,  
O.S.D.,  
K.T.C.L.,  
Alto, Porvorim-Goa.

- Ref: 1. Transfer Order No.KTC/PERS/3/2005-06  
2964 dated 7.1.2006  
2. Your letter dtd. 10.1.2006.

With reference to above, it is regretfully noted that, you are reluctant to work on the post assigned and to honour the subject transfer order. Further wording used by you in the said letter such as "I would be compelled to fulfill the expectations of the Management as desired of me vide the Charge Sheet dated 04.03.1998. In the process, the confrontations are inevitable and might create the problems for the Department rather than solving the problems as might be contemplated under Transfer Order dated 07.01.2006" is not acceptable.

However, Management has agreed to keep the said order in abeyance and desires that the services of the Senior Officer like you be utilized in the best possible manner and as such a suitable duties without living any room for apprehensions as raised by you in your letter, will be allotted to you at the earliest.

  
( S. V. NAIK )  
Managing Director



(651) (749)  
No.KTC/PERS/(566)/06-07/ 520  
Kadamba Transport Corpn.Ltd.,  
Alto Porvorim-Goa.


Date: 6.5.2006

To,  
Shri M. P. Kamat,  
O.S.D.,  
K.T.C.L.,  
Alto, Porvorim-Goa.

- Ref: 1. Transfer Order No.KTC/PERS/3/2005-06  
2964 dated 7.1.2006  
2. Your letter dtd. 10.1.2006.

With reference to above, it is regretfully noted that, you are reluctant to work on the post assigned and to honour the subject transfer order. Further wording used by you in the said letter such as " I would be compelled to fulfill the expectations of the Management as desired of me vide the Charge Sheet dated 04.03.1998. In the process, the confrontations are inevitable and might create the problems for the Department rather than solving the problems as might be contemplated under Transfer Order dated 07.01.2006" is not acceptable.

However, Management has agreed to keep the said order in abeyance and desires that the services of the Senior Officer like you be utilized in the best possible manner and as such a suitable duties without living any room for apprehensions as raised by you in your letter, will be allotted to you at the earliest.

  
( S. V. NAIK )  
Managing Director

P F



566

656

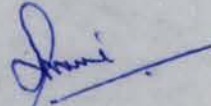
749

KTC/PERS/143/2006-2007/279  
Kadamba Transport Corporation Limited,  
Paraiso-de-Goa., Alto-Porvorim  
Bardez - Goa.,  
Date:- 4/5/2006

To,  
Shri M.P. Kamat,  
C/O Kadamba Transport Corporation,  
Alto-Porvorim - Goa.

Sub:- Information under 'Right to information Act.  
Ref:- Your letter dated 10/4/2006.

With reference to above it is informed that, the Competant Authority under Right to Information Act is the Public Information Officer of the Corporation. You may therefore present your application to the concerned authority if so desired.



( S. V. Naik )  
MANAGING DIRECTOR

Copy to:-

- 1. Pers. File.,
- 2. O/C.,
- 3. G/File.,







DRAFT

520

No.KTC/PERS/(566)/06-07/ 520  
Kadamba Transport Corpn.Ltd.,  
Alto Porvorim-Goa.

Date: 6.5.2006

To,  
Shri M. P. Kamat,  
O.S.D.,  
K.T.C.L.,  
Alto, Porvorim-Goa.

- Ref: 1. Transfer Order No.KTC/PERS/3/2005-06  
2964 dated 7.1.2006  
2. Your letter dtd. 10.1.2006.

With reference to above, it is regretfully noted that, you are reluctant to work on the post assigned and to honour the subject transfer order. Further wording used by you in the said referred letter such as "I would be compelled to fulfill the expectations of the Management as desired of me vide the Charge Sheet dated 04.03.1998. In the process, the confrontations are inevitable and might create the problems for the Department rather than solving the problems as might be contemplated under Transfer Order dated 07.02.2006" *is not acceptable.*

However, Management has agreed to keep the said order in abeyance and desires that the services of the Senior Officer like you be utilized in the best possible manner and as such a suitable duties without living any room for apprehensions as raised by you in your letter, will be allotted to you at the earliest.

( S. V. NAIK )  
Managing Director

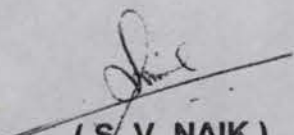


No.KTC/ADMN/1-2/2006-07/10  
Kadamba Transport Corpn. Ltd.,  
Porvorim-Goa.

Dated: 26.4.2006

ORDER

As per the decision taken by the Board during the 147th BOD Meeting held on 29.3.2006, Shri V. D. Harmalkar, Legal Assistant shall discharge the secretarial functions related to the Board Meeting in addition to his own duties without any additional allowance. This order supersedes the earlier Order No. KTC/ADMN/1-2/2004-05/17 dated 5.8.2004.

  
( S. V. NAIK )  
Managing Director

1. To,  
Shri V. D. Harmalkar,  
Legal Assistant,  
K.T.C.L. Porvorim.
2. Shri M. P. Kamat,  
Officer on Special Duty,  
K.T.C.L. Porvorim.

C. C. to: All Sectional Heads

Pa



NOTE

Date: 5.5.2006

744

Note dtd. 24.4.2006 received from Shri M.P. Kamat, O.S.D. is place herewith. He says that typist which is made available to him is not attached to his office of the O.S.D. and the control is with an outside department and the possibility that the concerned staff might not available when exigencies of situation demand cannot be ruled out.

In this connection, it is submitted that, the arrangement were made as approved.

Submitted for perusal.

P.P.

u/pe

- He should not have anticipated that in exigencies of work
- the staff will not be available to him.
- The proposal is not fair and genuine.
- Submitted.

u/pe  
875

~~Dy GM~~ OSD can separate service of typist and other required though it is attached to other section. When OSD has been relieved of B.O.D work his requirement of typist has reduced. Hence his request is liable to be rejected.

~~NO~~

RECEIVED on 16/5/06

u/pe  
1155

We need not respond to the note may be filed in view of the submission of P.O. & Dy. GM. above.

K. T. C.  
TRAFFIC SECTION  
Inward No. 1224  
Date 22/5/06

Dy. GM. u/pe  
875

u/pe  
20/05/06

RECEIVED on 29/5/06



KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 457  
Date: 25/4/06

From:- Shri M.P. Kamat,  
Officer On Special Duty,  
Kadamba Transport Corp.,  
Alto-Porvorim-Goa.

Dated:-24.4.2006.

N O T E

Ref:- Note No. KTC/OSD/14(1)/06-07, dated 07.4.2006.

With reference to the above and further communication vide letter no. KTC/PERS/(566)/06-07/169, dated 15.4.2006, I submit as follows:-

Vide note dated 07.4.2006, I have made clear the performance through this office before the change which cannot be disputed. It is a matter of records that agenda had been rushed at the last moment as and when received and minutes furnished at the high speed which was never achieved in this Corporation by any authority in charge of the function.

In the changed scenario and as suggested by you, the resources shall be put to best use and the out-put shall commensurate with the availability of the resources at disposal.

In the event another opportunity of compiling the agenda and the minutes is available to me, I shall also produce to your perusal the status of draft dictation and the time factor involved. It may also be noted that the typist which is made available to me now is not attached to the office of Officer On Special Duty and the control is with an outside department and the possibility that the concerned staff might not be available when exigencies of situation demand cannot be ruled out.

( M.P.KAMAT )

OFFICER ON SPECIAL DUTY

To,  
The Managing Director,  
Kadamba Transport Corp. Ltd.,  
Alto-Porvorim-Goa.

PO

Pr. M. P. Kamat  
24/4/06

Chir

943

566  
22/4/06



742

Note

Date: 21/2/06

As directed, <sup>drtr</sup> order directed Mrs. Suchila D. Karnat, CIDC attached to Personnel Dept to attend the typing work of OSD is placed herewith for perusal and approval.

Submitted

Dr. P. S. Patil  
CIDC

P.S.

As directed, draft order is placed herewith

for approval

21/2

~~MS~~

Janice  
21/2/06

NOTE

Date: - 24/2/2006

Note No. KTC/OSD/2005-06/120, dated 22.2.2006 received from the Officer On Special Duty is placed herewith. The contents of the said note is self explanatory.

He has further informed to Smt. C. Furtado, Senior Stenographer that, "till such time the transfer Order dated 8.2.2006 is in force you continue to be attached to the undersigned and any refusal shall amount to disobedience on your part."

In this connection it is submitted that, Miss Onissa Fernandes, Jr Stenographer attached to the Office Of the Officer On Special Duty was transfer and posted to the Traffic Department for disposal of her services to Dy. General Manager ( Traffic & Administration ) by providing the services of Miss M. Lobo, Senior Stenographer and Mrs. C. Furtado, Senior Stenographer to the Officer On Special Duty.

Since there was confusion on 21/2/2006, as directed and as approved




above. The order dated 21.2.2006, directing Mrs. Suchita Ramal Dhakar, C.L.D.C. (TBPS) from Personnel Department to attend the typing work of the Officer On Special Duty was issued.

Presently, there are two orders i.e. transfer order dated 8/2/2006 and order dated 21.2.2006 are in force providing the services of three Officials for disposal of the Officer On Special Duty.

Under the circumstances, it is necessary to withdraw either one order accordingly.

Submitted,

  
( G. Patil )  
C.L.D.C.

PERSONNEL OFFICER

- The main file is in process.
- ~~We may decide to~~
- As per order, OSD is having 3 staff (2 sten & one chdc) at his disposal.

A' | - We may decide to withdraw the instructions issued to OSD referred in order dt 8.2.06

By AM

25/2

24/2

MM In fact after the order dt 21.2.06, earlier arrangements stands withdrawn, no special order was required. However issue instructions if necessary as proposed at A' above.

20/3/06

~~Dep. AM~~ No any order is necessary. OSD will a rail services as per Mr S. D Dhakar, Mrs. L. & Mrs. Fernando. On the will continue to take extra.

P-6

2/3/06

2/3

Received on 22/3/06



2/3

749

Note

3/4/06

As directed, order to be issued mentioning the withdrawal  
of service of 2 se. Steno by Shri M.P. Kamal, order is  
plead sheet for period ~~for~~ before even and order issued  
on pre-para nothing  
- bulleted

By GM - Not available

mt  
3/4

~~MD~~ Add: In view of the order dt. 21.2.06. &  
date as corrected at flag A  
mt  
3/4/06

Received  
on 2/4/06

fo. order issued on 4/4

mt  
4/4

By GM mt  
29/4

Received  
on 2/5/06

mt



NOTE

Date: 16.8.05

Note No.KTC/OSD/14(1)/2005-06/53 dated 10.8.2005 received from shri M.P.Kamat, O.S.D. is place herewith.

He says that, he was placed under suspension vide order No.KTC/ADMN/1-2/00-01/106 dated 24.2.2001 and his suspension was revoked vide order No.KTC/ADMN/1-2/2002-03/61 dated 27.8.2002. He further says that, disciplinary proceeding initiated against him are still pending and not reached to the logical conclusion till this movement. He further says that pending releasing of all the benefits he would like to know on what basis and under which authority the earned leave has been credited to his account and eventually reported as lapsed.

In this connection, it is submitted that, Shri M.P. Kamat, O.S.D. was provided xerox copy of sick leave and privilege leave card as per marginal remark on Note dt. 7.2.2005 at page 634 at flag 'A'. During the suspension period of Shri M.P. Kamat, O.S.D. Leave for the 1st half as on 1<sup>st</sup> Jan., 2001 was added and similarly 2<sup>nd</sup> half of 2001 and 1<sup>st</sup> half of 2002 were added. Once the enquiry of Shri M.P. Kamat, O.S.D. is finalised and suitable correction can be carried out accordingly.

Shri M.P.Kamat, O.S.D. should have address a Note to Managing director as per rule and to P.O. and also note should not have been address in the name.

Submitted:

P. O.



NOTE

Date: 13.4.2006

Note dated 6.4.2006 and Note dated Nil received on 10.4.2006 received from Shri M.P. Kamat, O.S.D. is placed herewith.

Vide Note dated 6.4.2006 Shri M. P. Kamat, O.S.D. inform that typing arrangement made vide letter dt. 21.6.2006 is not workable since the transferee is not well versed with the typing work and cannot take speedy dictation. He further says that, Steno Typist were provided to the Court of Estate Officer. He further says that compilation of the Minutes of 147<sup>th</sup> BOD meeting and passing the judgement in the eviction cases had come to a halt which is the direct result of the transfer. He further says, that Estate Officer is quasi-judicial authority functioning independently and hence not under the Administrative control of the BOD and Managing Director. He further says that, the withdrawal of Steno Typist is an unprocedural and unauthorised.

In this connection. It is submitted that, Steno Typist were withdrawn and arrangement were made as approved on pre-page noting.

In view of above, may please decide.

P/O

we.

He is provided sufficient staff and he should utilise them rather than asking good steno typist

- The allegations raised by O.S.D. are not fair. He is aware that no transfer/withdrawal of staff is effected without approval of higher authority.

- Submitted.

13/4

He is already advised of the package of the Asst to M.D. in Secretariat matters. Steno typist was provided for the official work of the Corporate and he is not doing any Court duties. Estate Officer duties though quasi-judicial in nature does not confer him to think himself in the position of a Judge in Court. Management has only right to withdraw the staff from to officers if it finds fit. Hence now to posted a Dy. (Control Budgeting) & does not require any Steno. Hence his representation should not be considered.

Received on 3/5/06

M.D. Janil  
21/06/06

3/5

Chair

30/5



159  
10/11/06  
738

BEFORE THE OFFICER ON SPECIAL DUTY AND ESTATE OFFICER  
KADAMBA TRANSPORT CORPORATION LIMITED, PANAJI-GOA.

N O T I C E

Vide transfer order no. KTC/PERS/3(3258)/2005-06/3203, dated 08.02.2006, Miss Onissa M. Fernandes, Jr. Stenographer, transferred from the Estate Court with a stand-by arrangement that, the stenos attached to the Administrative and Technical Department substitute the transferor.

WHEREAS, the stand-by stenos did not comply to your instructions.

WHEREAS, vide order no. KTC/PERS/3/2005-2006/3308, dated 21.2.2006, Mrs. Suchita D. Kamat Dhakankar, CLDC (TBPS), attached to Personnel Department is replaced for Miss Onissa M. Fernandes, Jr. Stenographer.

WHEREAS, Mrs. Suchita D. Kamat Dhakankar, CLDC (TBPS), is not well conversant with stenography and unable to take on line typing and speedy dictation essential in the court proceeding.

WHEREAS, the Estate Officer is an independent Officer in quasi-judicial authority. The Personnel Officer, is a Junior Officer in KTCL and not authorised to transfer the staff of Estate Court.

WHEREAS, the eviction cases are filed in the estate court by the Managing Director, KTCL. And Whereas, the transfer of Jr. Stenographer without adequate and proper replacements, hampering the court proceedings severely.

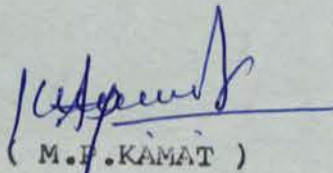


737

-2-

NOW THAT, for the conduct of the court proceedings, good stenographer services are essential and that such a staff independently attached to the Estate Court, which your unauthorised interference has blocked the conduct of the proceedings. Take notice that the ongoing proceedings and matters due for judgements shall be adjourned sine-a-die. Likewise a new applications filed before this court for eviction under the act by the Managing Director, KTCL shall be after admission adjourned sine-a-die entirely at your risk and consequences.

The court records strong objections to interference in the court proceedings by a very junior officer of KTCL.



( M.F.KAMAT )  
ESTATE OFFICER

To,  
The Personnel Officer,  
Kadamba Transport Corp. Ltd.,  
Alto-Porvorim-Goa.



566

656

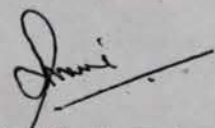
736

KTC/PERS/143/2006-2007/279  
Kadamba Transport Corporation Limited,  
Paraiso-de-Goa., Alto-Porvorim  
Bardez - Goa.,  
Date:- 4/5/2006

To,  
Shri M.P. Kamat,  
C/O Kadamba Transport Corporation,  
Alto-Porvorim - Goa.

Sub:- Information under 'Right to information Act.  
Ref:- Your letter dated 10/4/2006.

With reference to above it is informed that, the Competant Authority under Right to Information Act is the Public Information Officer of the Corporation. You may therefore present your application to the concerned authority if so desired.

  
( S. V. Naik )  
MANAGING DIRECTOR

Copy to:-  
1. Pers. File.,  
2. O/C.,  
3. G/File.,



935

No:KTC/OSD/14(1)/06-0705  
Kadamba Transport Corporation Ltd.,  
Porvorim-Goa.

Date:6-4-2006.

N O T E

13)  
7/4/06

Ref:Transfer Order No:KTC/PERS/3/2005-06/3203 dt. 8-2-2006.  
Transfer Order No:KTC/PERS/3/05-06/3308 dtd. 21-2-2006.  
Transfer Order No:KTC/PERS/3/06-07/13 dtd. 4-4-2006.

With reference to the above, you are informed that the Typing arrangement vide order No:KTC/PERS/3/05-06/3308 dtd. 21-2-2006 is not workable since the transferee is not welversed with the typing work and cannot take speedy dictation. As per the information given by the transferee, the transferee had not been working on similar type of the work for last so many years in the Personnel Department.

You are also informed that the steno typist was provided to the Court of Estate Officer.

*Sub up msp*  
*2/2/14*  
*Gh*

In view of the above, the compilation of the Minutes of 147th BOD meeting and passing judgement in the eviction cases had come to a halt which is the direct result of the transfer order referred to above and issued under your authority. As far as passing judgement in eviction cases are concerned, with present arrangement, the cases will be progressed upto the level of recording the deposition, cross examination and writing of Roznama. The consequences if any shall be entirely attributable to altered typing arrangements.

You should be aware that Estate Officer is quasi-judicial authority functioning independently to ensure the neutral status occupied by Estate Officer in the eviction cases and hence not under the administrative control of the BOD and Managing Director. Hence withdrawal of Steno Typist attached to Court of Estate Officer, is an unprocedural and unauthorised act on your part.

*M.P. KAMAT*  
\_\_\_\_\_  
( M.P.KAMAT )

OFFICER ON SPECIAL DUTY

To,

✓ The Personnel Officer,  
Kadamba Transport Corp.Ltd.,  
Alto-Porvorim-Goa.

Copy to:-

The Managing Director, KTCL, Porvorim-Goa.



566  
688  
734  
No.KTC/PERS/(566)/06-07/ 169  
Kadamba Transport Corpn.Ltd.,  
Alto Porvorim, Bardez-Goa.

Date: 15.4.2006

To,

Officer On Special Duty,  
Kadamba Transport Corpn.Ltd.,  
Alto Porvorim, Bardez-Goa.

Refer your Note No.KTC/OSD/14(1)/06-07/07 dated 7.4.2006 and to inform you that, no arrangement is permanent. Further you are informed to make best use of available typist. It is expected from the Officers to give best result in crises and not to expect/rely only on the competency or excellence of the established set up.

( S. V. NAIK )  
Managing Director



733

No.KTC/PERS/(566)/06-07/169  
Kadamba Transport Corpn.Ltd.,  
Alto Porvorim, Bardez-Goa.

Date: 15.4.2006

To,

Officer On Special Duty,  
Kadamba Transport Corpn.Ltd.,  
Alto Porvorim, Bardez-Goa.

Refer your Note No.KTC/OSD/14(1)/06-07/07 dated 7.4.2006 and to inform you that, no arrangement is permanent. Further you are informed to make best use of available typist. It is expected from the Officers to give best result in crises and not to expect/rely only on the competency or excellence of the established set up.

  
( S. V. NAIK )  
Managing Director



120  
1014108 (732)

No:KTC/OSD/14(1)/06-07/87  
Kadamba Transport Corporation Ltd.,  
Porvorim-Goa.

KADAMBA TRANSPORT CORPORATION LTD.  
Inward 111  
Date: 7/4/06

Date:7-4-2006.

N O T E

Subject:Minutes of 147th BOD Meeting.

The minutes of the 147 BOD meeting could not be completed for withdrawal of the typing facilities & non-replacement by competent & adequate facility for typing. The transferee is unable to take the speedy dictation.

It can be seen from the past record prior to the withdrawal and alteration of typing facilities that the minutes had been completed and furnished by the undersigned on the same day in the event the Meeting was held in the Morning and on the next day in the event such meeting was held in the afternoon session.

For the purpose of compiling the minutes ~~of~~ I may be provided the services of steno typist minimum two of them whose services can be used simultaneously for dictation and typing and the minutes can be made available to you before end of the day to-day.

Please do the needful.

( M. P. Kamat )  
Officer On Special Duty

To,  
The Managing Director.

*No arrangement is permanent. OSD may be advised to make best-use of available officials / typist. Officers are expected to give best-results in crisis and not to expect/sely only on the competency or excellence of the established set-up. Getting along with any change will be appreciated.*

*P.O. 7/4/06*



No. KTC/PERS/3/2006-07/13  
Kadamba Transport Corporation Ltd.,  
Alto-Porvorim, Bardez - Goa.

Date :- 04.04..2006.

73

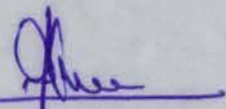
O R D E R

Ref: Transfer Order NO:KTC/Pers/3/2005-06/3203 dt.8.2.2006.

Consequent upon transfer of Miss Onissa Fernandes, Jr. Steno attached to Administration Dept., you were informed to avail the services of other two Sr.Steno attached to Administration Dept. & Technical Dept.

Now, in view of the order No. KTC/PERS/3/2005-06/3308 dtd. 21.2.2006 and due to increasing in work load of the Sr.Stenographer the utilisation of their services by you is hereby withdrawn with immediate effect.

This issues with the approval of Managing Director.

  
( A. S. Shirvoikar )  
PERSONNEL OFFICER

To,  
Officer On Special Duty,  
K.T.C.Ltd.,  
Alto Porvorim, Goa.

Copy to:-

- 1.The General Manager, H.O. : for information and necessary action.
- 2.The Dy. General Manager(Traffic & Admn.) : for information.
- 3.The Asst. Financial Controller, H.O.
- 4.Administration Department, H.O.
- 5.Miss. M. Lobo, Sr. Stenographer for information.
- 6.Mrs. C. Furtado, Sr. Stenographer for information.
- 7.Personal file.
- 8.Office copy.
- 9.Guard file.



No. KTC/PERS/3/2006-07/  
Kadamba Transport Corporation Ltd.,  
Alto-Porvorim, Bardez - Goa.

Date :- 03.04..2006.

**ORDER**

**Ref. Transfer Order NO:KTC/Pers/3/2005-06/3203 dt.8.2.2006.**

Consequent upon transfer of Miss Onissa Fernandes, Jr. Steno attached to Administration Dept., you were informed to avail the services of other two Sr. Steno attached to Administration Dept. & Technical Dept.

*in view of the order dt=21.2.06 and*  
Now, due to increasing in work load of the Sr. Stenographer the utilisation of their services by you is hereby withdrawn with immediate effect.

This issues with the approval of Managing Director.

**( A. S. Shirvoikar )  
PERSONNEL OFFICER**

To,  
Officer On Special Duty,  
K.T.C.Ltd.,  
Alto Porvorim, Goa.

Copy to:-

1. The General Manager, H.O. : for information and necessary action.
2. The Dy. General Manager (Traffic & Admn.) : for information.
3. The Asst. Financial Controller, H.O.
4. Administration Department, H.O.
5. Miss. M. Lobo, Sr. Stenographer for information.
6. Mrs. C. Furtado, Sr. Stenographer for information.
7. Personal file.
8. Office copy.
9. Guard file.



730

10

No.KTC/PERS/3/2006-07/61  
Kadamba Transport Corpn.L  
Alto Porvorim Bardez-Goa.

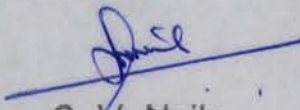
Date: 29.05.2006.

ADDENDUM

Ref: No. KTC/PERS/3/2006-07/548, dtd. 16/05/2006.

Following para is added to the above referred transfer order:-


" He shall continue to hold the additional charge of the post of OSD till further orders."

  
S. V. Naik  
Managing Director

To,  
Shri M. P. Kamat,  
Officer On Special Duty,  
Kadamba Transport Corpn.Ltd.,  
Alto Porvorim, Bardez-Goa.

C c, to the Hon'ble Chairman, for favour of kind information

- Copy to:
1. The General Manager, for information,
  2. Dy. General Manager, for information
  3. The Asstt. Financial Controller – for information.
  4. O/C.
  5. G/F.
  6. All Sectional Heads.
  7. Pers. File

*Hand copy*  
  
30/5/06 15.04




92a

No.KTC/PERS/3/2006-07/ 15  
Kadamba Transport Corpn.Ltd.,  
Alto Porvorim Bardez-Goa.

Date: 3.4.2006

TRANSFER ORDER

Transfer of Shri Mahesh P. Kamat, O.S.D. to his cadre post of Dy.Financial Controller drawn vide order No.KTC/PERS/3/2005-06/2964 dated 7.1.2006 is hereby kept in abeyance till further order.

  
( S. V. NAIK )  
Managing Director

To,  
Shri M. P. Kamat,  
Officer On Special Duty,  
Kadamba Transport Corpn.Ltd.,  
Alto Porvorim, Bardez-Goa.

C c, to the Hon'ble Chairman, for favour of kind information

Copy to:

1. The General Manager, for information,
2. Dy. General Manager, for information
3. Pers. File
4. O/C.
5. G/F.
6. All Sectional Heads.



78

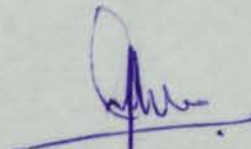
NOTE

Date: 3.4.2006

As directed, order is placed herewith for signature.

It may be kept on record that keeping the transfer order in abeyance will adversely effect the smooth functioning of Corporation.

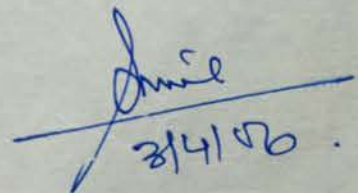
Shri M. P. Kamat, O.S.D. Should have join to his cadre post of Dy.F.C. Immediately, as per order issued .

  
( A. S. Shirvoikar )  
Personnel Officer

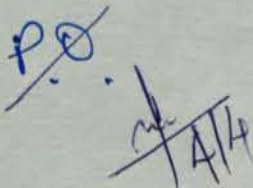
To,  
Managing Director.

The transfer order dt. 7.1.06 is kept in abeyance as requested by Mr. M.P. Kamat vide his representations, wherein he had requested ~~to~~ to differ the same in view of the pending inquiry. Although the management is not totally in agreement with Mr. Kamat, his request is considered for the time being and it is proposed to utilize his services in the better interest of KTEL, for which order shall follow.

may be issued

  
3/4/06

Received  
on 4/11/06

  
ATA



E-2/1

727  
No.KTC/PERS/3/2005-06/2964  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim, Bardez - Goa.

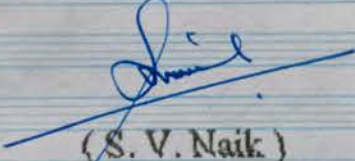
Date:- 7<sup>th</sup> January, 2006.

TRANSFER ORDER

Due to administrative convenience, Shri M. P. Kamat, Officer on Special Duty is hereby transferred and posted to his cadre post of Dy. Financial Controller, Accounts Department, Head Office, Porvorim with immediate effect. Shri M. P. Kamat should take charge of Accounts Department, H.O. from Shri Y. D. Gaude, Asst. Financial Controller.

Shri M. P. Kamat, shall continue the charge of Officer On Special Duty till further orders.

The order shall come into force with immediate effect and should be comply by 12/1/2006.

  
(S. V. Naik.)  
MANAGING DIRECTOR

To,  
Shri M. P. Kamat,  
Officer On Special Duty,  
Kadamba Transport Corporation Ltd.,  
Head Office.

C.C. to the Hon'ble Chairman, for favour of kind information.

Copy to:-

1. The General Manager, for information.
2. The Asst. Financial Controller, for information.
3. Personal file.
4. Office copy.
5. Guard file.
6. All Sectional Heads.



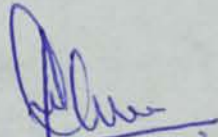
NOTE

220

Date:- 26/12/2005

As directed, draft transfer orders in respect of Shri M. P. Kamat, O.S.D., as Dy. Financial Controller and Shri V.V.S. Kunkolienkar, O.S.D., (R & S ), allowing the charge of Dy. General Manager ( Traffic ) is placed herewith. May please be seen for approval and confirmation.

Submitted Please.

  
(A. S. Shirvoikar )  
PERSONNEL OFFICER

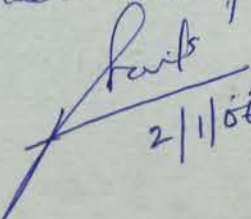
GENERAL MANAGER

As per approved organization chart of corporation, part of Dy Com (TRF) though its Rs have not been formed comes under the control of GM while that of part of Dyte is directly under the control of M-D.

MANAGING DIRECTOR.

Both the officers are charged & their enquiry is in progress. Further enquiry of the V-V. S. Kunkolienkar, W.M now OSD (RE Survey) is for investigation by Directorate of Vigilance, Govt of Goa against assurance No. 158 given by Honble TM in Assembly session based on the report submitted by CSPO. to Govt.

Submitted for information & for further decision pl

  
2/1/06

M.D

Inquiry report in respect of Shri. M.P. Kamat has already been received by this office, which is in his favour in the sense his charges are not proved. The



Other inquiry is in progress, however ~~still~~ the matter was considered by the committee appointed by SOD & the committee has opined that there is no much force in the charges and the charges inquiry could be dropped, final decision in this regard is awaited.

As regards Shri. V.V. S. Kumbhakar, although his inquiry is pending, it is proposed to give him the addl. charge of Dy. GM, which is permissible.

We may therefore post both the above offices as proposed submitted for approval please.

*Shri*  
4/1/05

Hon. Chairman. KTCL

I agree above  
Hansil N P Jantke  
6-1-2006

*MD* *Shri*  
5/1/06

P.O.



*h. putrup*

23 L  
Kadamba Transport Corp. Ltd.  
Inward No. 1384  
Date: 22/5/06

*24/5/06*

*1406*  
*24/5/06*

No. KTC/OSD/2006-07/19  
Kadamba Transport Corpn. Ltd.,  
Porvorim-Goa.

*9*

Dated: 22.5.2006

**NOTE**

Sub: Transfer Order.

With reference to the Transfer Order No. KTC/PERS/3/2006-07/548 dated 16.5.2006 actually received by me on 22.05.06 at 11.10 hrs., I submit as follows:

1. The post designated Dy. Financial Controller (Costing & Budgeting) is ordered to be occupied by me which post is filled up in the Corporation for the first time since inception during 1980. In view of which I may please be informed :
  - a) The grade of the post.
  - b) The pay scale of the post.
2. The sitting place allotted to the undersigned as Dy. Financial Controller (Costing & Budgeting) in the Accounts Department. Preliminary enquiries with A.F.C. and the Asst. Engineer does not reveal anything since they are unaware of the transfer order as at this moment.
3. The staff allotted to the undersigned as Dy. Financial Controller (Costing & Budgeting)
4. The rights, duties and responsibilities assigned to the department and the head of the department.
5. Upon transfer whom the charge of O.S.D. to be handed over and from whom the charge of Dy. Financial Controller (Costing & Budgeting) to be taken over.

Pending clarifications as above, the acknowledgement of the transfer order by me on 22.5.2006 at 11.10 a.m. itself be treated as joining. I may be informed of proposed rights, duties and responsibilities at the earliest so that I can initiate further necessary action in public interest and Administrative convenience.

*He shall continue to function as OSD till suitably replaced as addl. charge. other posts be taken care by Personnel Deptt.*

*24/5/06*

*[Signature]*  
( M. P. KAMAT )  
Officer on Special Duty

To,  
The Managing Director, K.T.C.L.

- C.C. to: 1. The Hon. Chairman, KTCL.  
2. The Personnel Officer, KTCL.

*Ms. Chari*




Legal Department

Date : 10.5.2006

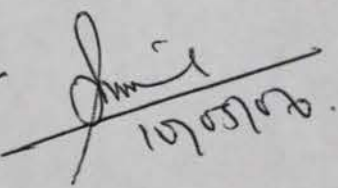
(5) 72

NOTE

Resolution by circulation passed by the Board Directors to create and fill up the post of Dy.Financial Controller (Budget & Costing). Copy is enclosed herewith. Please do the needful in this regard.

  
( V.D.Harmalkar )  
Legal Assistant

~~Through M.D.~~

  
Personnel Officer



E-2/4

722

8

No.KTC/OSD/2006-07/19  
Kadamba Transport Corpn. Ltd.,  
Porvorim-Goa.

Dated: 22.5.2006

**NOTE**

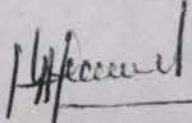
Sub: Transfer Order.

RECEIVED  
PERSONNEL DEPARTMENT  
WARD No. 13 GJ  
DATE 2015/05/06

With reference to the Transfer Order No. KTC/PERS/3/2006-07/548 dated 16.5.2006 actually received by me on 22.05.06 at 11.10 hrs., I submit as follows:

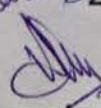
1. The post designated Dy. Financial Controller (Costing & Budgeting) is ordered to be occupied by me which post is filled up in the Corporation for the first time since inception during 1980. In view of which I may please be informed :
  - a) The grade of the post.
  - b) The pay scale of the post.
2. The sitting place allotted to the undersigned as Dy. Financial Controller (Costing & Budgeting) in the Accounts Department. Preliminary enquiries with A.F.C. and the Asst. Engineer does not reveal anything since they are unaware of the transfer order as at this moment.
3. The staff allotted to the undersigned as Dy. Financial Controller (Costing & Budgeting)
4. The rights, duties and responsibilities assigned to the department and the head of the department.
5. Upon transfer whom the charge of O.S.D. to be handed over and from whom the charge of Dy. Financial Controller (Costing & Budgeting) to be taken over.

Pending clarifications as above, the acknowledgement of the transfer order by me on 22.5.2006 at 11.10 a.m. itself be treated as joining. I may be informed of proposed rights, duties and responsibilities at the earliest so that I can initiate further necessary action in public interest and Administrative convenience.

  
( M. P. KAMAT )  
Officer on Special Duty

To,  
The Managing Director, K.T.C.L.

C.C. to: 1. The Hon. Chairman, KTCL.  
2. The Personnel Officer, KTCL.

Ms. P. Chai  
  
23/5



6 721

**RESOLUTION BY CIRCULATION**

The below mentioned Items and resolutions are circulated in view of the fact that the matters are of urgent nature and Board Meeting is not in sight hence the matter is decided by circulation as per the Articles of Memorandum of Association of the Corporation vide article no. 82.

**ITEM No. 1**

**To consider and decide to create & fill up the post of Dy. Financial Controller( Budget & Costing)**

As per the Organisation Structure there exist a post of Asstt.Financial Controller (Budget & Costing) which was in par with Asstt.Financial Controller (Accounts and Finance) these posts comes within preview of Financial Controller cum Company Secretary which is vacant. At present Finance and Accounts department is headed by Dy.Financial Controller, Therefore it is proposed that Asstt.Financial Controller (Budget & Costing) be upgraded and filled as a Dy.Financial Controller (Budget & Costing) and comensurate with post, Recruitment Rule be framed for the post of Dy.Financial Controller (Budget & Costing) separately under the control of Managing Director. This Corporation is in passenger transport services, wherein, cost analysis route-wise, bus -wise are required to be done for ascertaining the profitability or otherwise, of any trip operated. The Depots are not given any budgets, as a result there is no budgetory control at the Depot level and hence, effective budgetory control at depot level cannot be made by Head Office. This results in undue expenditure, wastage of staff and no effective control and monitoring of the revenue earning of the Corporation.

Considering all the above facts, it is necessary that the post of Dy.Financial Controller (Budget & Costing) is very much essential for carrying out the costing and budget functions mentioned above for implementing at depots and KTCL as a whole, thereby, keeping effective control on the functioning of the Corporation. Being an important function, this post should necessarily be " A" grade and hence, it is proposed that we may create a post of Dy.Financial Controller (Budget & Costing) and fill the same on priority so that costing and budgetory control function can be effectively implemented. Duties & Functions for this post is enclosed as Annexure 'A' . Therefore, resolution by circulation is moved to decide in the matter. Board may consider the proposal and following resolution with or without modification may be passed.

**RESOLUTION No. 48/2006**

**" RESOLVED THAT the creation and filling the post of Dy.Financial Controller (Budget & Costing) be and is hereby approved ."**



" RESOLVED FURTHER THAT the Managing Director be and is hereby authorised to take all necessary action in this matter ".

**ITEM NO. 2**

**To consider and decide about allotment of Govt. Land for Goa Shipyard Ltd at Vasco Bus Stand presently in custody of KTCL.**

The Under Secretary (Revenue) vide letter No. 16-1-2005-RD(F-738) dated 18.4.2006 has conveyed approval of Govt. to allot 10,958 sq.mtr. In land bearing Chalta No. 01 of P.T. Seat No. 70 of Vasco City. And it has been requested by him to confirm the consent of KTCL within 15 days. In this connection it is stated that the Govt. has acquired land admeasuring 53444 sq. mtrs. for construction of bus stand at Vasco. Subsequently, land admeasuring 2572 sq. mtrs. was allotted to Director of Fire Services and land admeasuring 16200 sq. mtrs. To P.W.D. The remaining land is being used by KTCL for bus stand and maintainance of Depot. The present proposal consist of allotment of 10,958 sq. mtrs. of land to GSL from the piece of land allotted to PWD and therefore, we may convey our consent to the proposal of Govt. However, as per the meeting held in chamber of Transport Secretary, the P.W.D. Had requested the Secretary Transport to spare about 5000 sq. mtrs of land to P.W.D. From the vacant land available with the KTCL for the construction of their office premises. The KTC having vacant land admeasuring 9260 sq.mtrs. and if 5000 sq.mtrs is allotted to P.W.D. The KTCL will have 4000 sq. mtrs of vacant land.

Presently the KTCL can manage the activities with in the land available with them. Considering further expansion we may require the vacant land. However, since the issue has been discussed many times with Secretary (Transport) and as the GSL is engaged a defence project we may have to agree to the proposal of Govt.

Since the land belongs to Director of transport and as the matter has been discussed with the secretary of transport, the B.O.D. May please decide about the allotment of land to GSL to the extent of 10958 sq. mtrs. which presently in possession of P.W.D. and land admeasuring 5000 sq. mtrs. to P.W.D. from vacant land in possession of KTCL. This is being a policy decision which we have to submit consent within time bound resolution by circulation is moved to decide in the matter.

Board may consider the proposal and following resolution with or without modification may be passed.







(3) 718

Annexure 'A'

The duties and responsibilities attached to this post.

1. Working out costing details and providing top Management and Traffic Section with data of route-wise/trip-wise/vehicle cost for taking appropriate decision periodically.
2. Analysis of direct, indirect costs, overhead costs and compiling it unit-wise and their apportionment thereof in working out total costs.
3. Setting up budget at unit level and at corporate level in terms of targets of revenue earnings and costs. Review of budgetary targets periodically both unit and corporate level-wise and putting up monthly reports of budgetary control to the Managing Director giving suggestions on budget.
4. Co-ordination with Accounts, Stores, Traffic, Technical Departments and other Departments for informing revenue of Corporation and reduction of costs for improving the profitability of the Corporation.
5. Any other duties assigned by the Managing Director and
6. He will report to the Managing Director and work under his control.

*Shri*  
\_\_\_\_\_



566  
No.KTC/ADMN/1-2/2006-07/ 32  
Kadamba Transport Corporation Ltd.,  
Porvorim-Goa.

Dated: 12.6.2006

5  
603  
1859  
13/610

TRANSFER ORDER

Due to administrative convenience and better functioning of the Corporation, the following transfers are hereby effected with immediate effect:

1. Shri Pramod A. Gaonkar, Controller of Purchases is hereby transferred and posted as Controller of Stores. He shall handover the charge of Works Manager to Shri Anil B. Prabhu, Depot Manager, HO.
2. Shri Anil A. Prabhu, Depot Manager, HO is hereby transferred and posted as Works Manager, Central Workshop, Porvorim.
3. Shri Anant S. Shirvoikar, Personnel Officer is hereby transferred and posted as Officer on Special Duty/Estate Officer. He shall take over the charge of OSD/Estate Officer from Shri M. P. Kamat and shall handover the charge of Personnel department to Shri T. K. Pawase.
4. Shri T. K. Pawase, Asstt. Controller of Stores who is holding the charge of Purchase Officer is hereby transferred and given the charge of Personnel Manager. He shall take the charge of Personnel Department from Shri Anant S. Shirvoikar.

Shri Anil A. Prabhu, Depot Manager, Head Office should move first and relieve Shri P. A. Gaonkar, Controller of Purchases/Works Manager.

  
( S. V. NAIK )  
Managing Director

To,

1. Shri Pramod A. Gaonkar, COP/WM, KTCL, Porvorim.
2. Shri Anil B. Prabhu, Depot Manager, HO, KTCL, Porvorim.
3. Shri Anant S. Shirvoikar, Personnel Officer, KTCL, HO, Porvorim.
4. Shri T. K. Pawase, Purchase Officer, KTCL, HO, Porvorim
5. Shri M. P. Kamat, Dy. Financial Controller (Costing & Budgeting)

C.C. to: 1. The Hon'ble Chairman, KTCL.

2. To All the Sections.

- Personnel Dept
3. Depot Manager, Vasco/Margao/Porvorim/Panaji depot.
  4. Works Manager, Central Workshop.
  5. Asst. Stores Officer C/Stores.



566

654

716

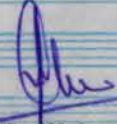
No.KTC/PERS/7/2004-06/3442  
Kadamba Transport Corpn.Ltd.,  
Paraiso-De-Goa, Porvorim-Goa.

Date : 13.3.2005

O R D E R

Annual increment of the following Officers is hereby released with effect from 01.03.2006 as given below:-

Sr.No.	Name & Designation	Emp. No	Salary Drawn	Increment	Present Salary
1.	Shri Mahesh P. Kamat, O.S.D	0009	Rs.13900/-	Rs.325/-	Rs.14225/-
2.	Shri A. Carvalho, D.M.	0010	11025/-	275/-	11300/-
3.	Shri C.A.J. Pereira, D.M.	0020	11025/-	275/-	11300/-
4.	Shri T.K.Pawase, Pur.Officer	0145	11025/-	275/-	11300/-
5.	Shri Y.D. Gaudo, A.F.C.	2501	8900/-	200/-	9100/-
6.	Shri V. D. Harmalkar, L.A.	0078	7250/-	175/-	7425/-

  
( A. S. Shirvoikar )  
Personnel Officer

- C C To, 1. Admn, Dept., H.O.  
2. Depot Manager, Margao Depot & Vasco Depot  
3. Purchase Dept.,  
4. Accounts Dept.,  
5. Legal Dept.,  
6. Pers. file  
7. O/C.



715

No.KTC/OSD/2005-06/ 120  
Kadamba Transport Corpn. Ltd.,  
Porvorim-Goa.

Dated: 22.2.2006

NOTE

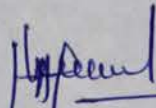
With reference to Transfer Order No.KTC/PERS/3/(3258)/2005-06/3203 dated 8.2.2006, I am authorised to avail your services as Steno upon the transfer of Miss Onissa M. Fernandes from the office of Officer on Special Duty.

Upon receipt of the Transfer Officer dated 8.2.2006, you were called alongwith the Steno attached to Administration Miss. M. Lobo to confirm receipt of the order and new arrangements therein. You had confirmed the receipt of the order and agreed to make yourself available to the undersigned as a Steno-Typist. Further, it was your categoric statement that under the new arrangements you have no option but to comply with the directions therein.

You were also informed of the necessity of making yourself available for Court proceedings at the chamber of Chairman in the old KTC premises, which too, you have agreed.

Pursuant to the above, Miss. Onissa M. Fernandes was relieved. After the receipt of transfer order on 8.2.2006 you were requisitioned for the first time on 21.2.2006, however, you refused not only to provide typing services but also did not report to your Higher Authority which I am enjoying by the virtue of above order dated 8.2.2006. This fact amounts to disobedience of instructions of your Higher Authority and violation of directives of Transfer Order. As a result of your refusal, the typing work of this department adversely affected for which you will be entirely responsible. Had you to convey your refusal during the meet on 8.2.06, I would not have relieved Miss. Onissa Fernandes. Hence you are responsible for the inconvenience caused to this department.

Note that till such time the transfer Order dated 8.2.2006 is in force you continue to be attached to the undersigned and any refusal shall amount to disobedience on your part.

  
( M. P. Kamat )  
Officer on Special Duty

To,  
Mrs. C. Furtado,  
Senior Stenographer,  
K.T.C. Ltd.,  
Technical Department,  
Porvorim.  
C.C. to:

1. The Managing Director, KTCL .
2. The Personnel Officer.



714

KTC/PERS/3/2005-2006/3308  
Kadamba Transport Corporation Limited,  
Alto-porvorim, Bardez - Goa.,

Date:- 21.2.2006

**ORDER**

Due to administrative convenience, Mrs. Suchita D. Kamat Dhakankar, C.L.D.C. (T.B.P.S.) attached to Personnel Department, who is conversent with Stenography work is hereby directed to attend the typing work of the Officer On Special Duty till further orders.

  
( A. S. Shirvoikar )  
PERSONNEL OFFICER

To,  
Mrs. Suchita D. Kamat Dhakankar,  
C.L.D.C. (T.B.P.S.),  
Personnel Department,  
Kadamba Transport Corporation Limited,  
Porvorim.

Copy to:-

1. The Officer On Special Duty : He is requested to avail the services of Mrs. Suchita D. Kamat Dhakankar, C.L.D.C.,(T.B.P.S.) as and when required.
2. The P. A. to Managing Director for favour of information.
3. The Dy. General Manager ( Traffic & Admn.)
4. Pers. File.,
5. O/C.,
6. G/File.,



713

No. KTC/PERS/3/(3258)/2005-06/ 3203  
Kadamba Transport Corporation Ltd.,  
Alto-Porvorim, Bardez - Goa.

Date :- 08.02.2006.

TRANSFER ORDER

Due to administrative convenience, Miss Onissa M. Fernandes, Jr. Stenographer Emp. Code No.2916, attached to Administration Dept., Head Office is hereby transferred and posted to Traffic Department <sup>H.O.</sup> with immediate effect. Miss Onissa M. Fernandes, is directed to report to the Dy. General Manager ( Traffic), H.O. Porvorim for further order..

( A. S. Shirvoikar )  
PERSONNEL OFFICER

To,  
Miss Onissa M. Fernandes,  
Jr. Stenographer,  
Administration Dept.,  
K.T.C. Ltd., H.O.

Copy to:-

1. The Officer On Special Duty, H.O. : For information and necessary action. Further he may avail the services from other two Stenos attached to Administration and Technical Dept.
2. The General Manager, H.O. : for information and necessary action.
3. The Dy. General Manager(Traffic & Admn.) : for information.
4. The Asst. Financial Controller, H.O.
5. Administration Department, H.O.
6. Personal file.
7. Office copy.
8. Guard file.



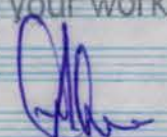
712  
KTC/PERS/(523)/2005-2006/ 3096  
Kadamba Transport Corpn, Ltd.,  
Paraiso-de-Goa.,  
Porvorim, Bzardez - Goa.,  
Date:- 27/1/2006

NOTE

As desired by you, the following documents in original available in the file are enclosed herewith for your further necessary action.

1. KTC/ADMN-1-2/97-98/97, dt. 16.1.1998 (178/c)
2. KTC/ADMN-1-2/97-98/90, dated 30.12.1997 (171/c)
3. Telegram dated 20.2.1998 (192/c)

Original documents be returned after completion of your work.

  
\_\_\_\_\_  
( A. B. Shirvoikar )  
PERSONNEL OFFICER

To,  
Shri Narayan S. Naik,  
Asstt. Depot Manager/Presenting Officer  
Kadamba Transport Corpn, Ltd.,  
Central Workshop, Porvorim.

Copy to:-  
1. Pers. File.,  
2. O/C.,  
3. G/File



711

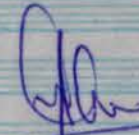
No.KTC/PERS/655/05-06/3050  
Kadamba Transport Corpn.Ltd.,  
Alto Porvorim.

Date: 19.1.2006

To,  
Shri N.S. Naik,  
ADM/PO,  
K.T.C.Ltd., CWS.  
Porvorim.

Sub: Inquiry of Shri M.P. Kamat, OSD/Dy.F.

With reference to your letter No.KTC/CWS/ADM/05-06/711 dated 13.1.2006, you are informed to visit our Office on any working day and collect the required documents accordingly.

  
( A.S. Shirvoikar )  
Personnel Officer

NS



566  
No. KTC/PERS/3/2005-06/ 2964  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim, Bardez - Goa.

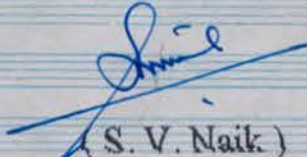
Date:- 7<sup>th</sup> January, 2006.

TRANSFER ORDER

Due to administrative convenience, Shri M. P. Kamat, Officer on Special Duty is hereby transferred and posted to his cadre post of Dy. Financial Controller, Accounts Department, Head Office, Porvorim with immediate effect. Shri M. P. Kamat should take charge of Accounts Department, H.O. from Shri Y. D. Gaude, Asst. Financial Controller.

Shri M. P. Kamat, shall continue the charge of Officer On Special Duty till further orders.

The order shall come into force with immediate effect and should be comply by 12/1/2006.

  
( S. V. Naik )  
MANAGING DIRECTOR

To,  
Shri M. P. Kamat,  
Officer On Special Duty,  
Kadamba Transport Corporation Ltd.,  
Head Office.

C.C. to the Hon'ble Chairman, for favour of kind information.

Copy to:-

1. The General Manager, for information.
2. The Asst. Financial Controller, for information.
- ~~3. Personal file.~~
4. Office copy.
5. Guard file.
6. All Sectional Heads.

Approved  
2/11.

4.30 PM.



NOTE

Date:- 16/1/2006

Representation dated 10/1/2006 received from Shri Mahesh P. Kamat, Officer On Sepcial Duty is placed herewith. He says that, vide Transfer Order dated 7/11/1998 he was transferred from the cadre post of Dy. Financial Controller from Accounts Department which was followed by suspension and further followed by the enquiry which enquiry is still began dragging upon and still not reached its logical conclusion.

He further says that the proposed transfer is another attempt of humiliation. Since after occupying the said post and discharging the duties as Dy. Financial Controller from executive chamber he will be compelled to occupy the seat of the Chargesheeted Officer before the Enquiry Officer. He further says that having adequately harassed, victimised and humilated, it is his bonafide appeal not to inflict further humiliationsn him.

He further says that, some of the major allegations behind his transfer from cadre post way back in the year 1998 are

- a) did not verify the future prices of materials.
- b) did not verify the materials while taking into stock.,  
and
- a) purchased non genuine, spurious materials at higher rates
- b) procured excess quantity of materials at highest rates
- c) blocked the funds through inventory
- d) placed Purchase Orders/Order for supply of materials
- e) misplaced records of purchase transactions amounting to purchases in violation of the procedure and in excess of tender requirements and
- f) purchased materials violating tenders/without inviting tenders.

He further says that the Enquiry instituted against him is still pending and he will be compelled to fulfill the expectations of the management as desired by him vide Charge-Sheet dated 4.3.1998 and in the process the confrontations are inevitable and might create the problems for the Department rather than solving the problems.

He therefore request to hold back the proposed transfer order till the Enquiry instituted against him at its logical conclusion.

He further says that, his representation is before the Board Of Directors and it is still pending and further request that at least till the conclusion of next meeting of the Board Of Directors, the proposed Transfer Order be kept in abeyance since he desire to represent before the Board in person.

In this connection, it is submitted that the Transfer Order issued is required to be implemented invariably without hesitation Irrespective of whether the Enquiry instituted is still pending or decision on his representation by the Board is yet to be taken. In fact, reference enquiry is already over and completed. Based on findings of




768

decision by the Board on his representation, then he should have taken similar stand when he was posted and Transferred in the Personnel Department and Officer On Special Duty. He should have also avoided looking after the Board matter which involves taking major policy decision by the Board.

Under the circumstances his representation be decided accordingly.

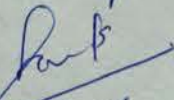
1388

  
(A. S. Shirvoikar)  
PERSONNEL OFFICER

GENERAL MANAGER

No comments in view of recent development in management policy. But however provisions of CAS (CCA) applicable to officers vis-a-vis memorandum & articles of Corporation may, if desired, be perused. Submitted for

MANAGING DIRECTOR

  
8/2/06  
/02/2006.

Shri M. P. Kamat, OSD, has been transferred and posted as Dy. Financial Controller vide Order under reference. Earlier he has represented to the Board that he has been unduly harassed by the Management by initiating departmental enquiries against him. Considering the said representation and Shri Kamat being one of the seniormost officer of the KTCL, the above order was issued expecting him to provide his services to the Corporation in the best possible manner. However, he is reluctant to join the said post and has filed one more representation dated 10.1.2006 as discussed earlier. In the said representation he has used words " I would be compelled to fulfill the expectations of the Management as desired of me vide the charge-sheet dated 4.03.1998. In the process, the confrontations are inevitable and might create the problems for the department rather than solving the problems as might be contemplated under transfer order dated 07.01.2006", which is not acceptable since he has been vehemently denying the charges and present management has also prima facie taken a view that nothing may survive in the enquiry as per his representation.

2. The order under reference was issued with a view to utilise the service of all officers to KTCL in a maximum possible manner under the instructions of



Hon. Chairman, KTCL. However, <sup>he is</sup> his reluctance to honour the subject order and used the wording as above which is highly objectionable and it appears that he is shying away from the responsibilities. ] 'A'

3. In view of the above therefore although the representation does not deserve any consideration, since he has made a reference to his departmental enquiry and the charges therein which are related to general accounting of KTCL such as verifying and passing of bills etc., Mr. Kamat should not have any grievance in working as Dy. Financial Controller (Costing & Budgeting) exclusively as the said functions will have no relations to the charges against him. In the said modified order as Dy.F.C. (Costing & Budgeting) he should be responsible for costing of all components, budgeting, viability study of the routes and other operations of KTCL which will be helpful for the Management to plan its further strategies in the development of KTCL. we may modify the said order and Mr. Kamat be directed to handle the matters related to Costing & Budgeting which is presently not attended by KTCL. *Proposal to create the post of Dy. F.C. (Costing & Budgeting) is processed separately for approval of Bd by circulation.*  
Submitted for perusal and approval of the para 3.

*[Signature]*  
21.3.06  
( S. V. NAIK )  
Managing Director

Hon. Chairman.

*H.S.L.N.P.D.*  
*3-4-2006*

- 'A' above be communicated to Shri. Kamat.
- Re. issue order as above. Also follow up the proposal of creation of Post of Dy. F.C. (Costing & Budgeting)

Dy. Genl.

write to SD. Carrying A immediately

*[Signature]*  
414106  
*[Signature]*  
29/4

*P.O.*  
*[Signature]*  
*Chin*  
*[Signature]*  
215

Recd recd on 2/5/06



706

From Pre-Page —

Draft letter to send to Shri M. P. Kamat,  
O.S.O in placed herewith.

P.O.

@ use.

may kindly be seen for approval

            
8/5

~~MS~~

P. put up DFA as committees.  
Also put up order posty for Kamat - as  
dy. fe. (copy + Bnd)

            
8/5/06.

Received  
on 9/5/06

P.O.

As above, order letter and transfer  
order duly corrected in place herewith  
for approval.

@ use.

~~P.O.~~ submit for approval please

            
9/5

Received  
on 12/5/06

~~MS~~

            
12/5/06

P.O.

Index

            
12/5

Check



705

No.KTC/PERS/566/2005-06/ 3016

Date: 7.1.2006

To,  
Shri P. S. Nadkarni,  
'Mangirish'  
H. No. 760/14, Chogam Road,  
Behind Dr. Bhale's Hospital,  
Porvorim Bardez-Goa.

Sub: Enquiry of Shri Mahesh P. Kamat, O.S.D.  
Ref: Letter No.PSN/INQ/KTC/1/2005 dated 14.12.2005

Sir,

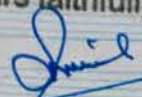
With reference to your letter cited above, it is to inform you that, there was a communication gap and hence the Presenting Officer could not attend the Enquiry.

You are requested to continue the inquiry after fixing fresh date of the inquiry. Presenting Officer is specifically instructed to remain present for enquiry regularly and punctually without fail.

The inquiry files under reference below are forwarded herewith:

1. File No.OMB/2-65/DE-2/2003-04 containing N/1 - N/12 and C/1 - C/379.
2. File No.PSN/INQ/KTC/1/2005 containing No.1 - N/4 and C/1 - C/23.

Yours faithfully,

  
( S.V. Naik )  
MANAGING DIRECTOR

Encl: As Above.

C c, To, Shri N.S. Naik,A.D.M.  
& Presenting Officer,

C.W.S., Porvorim. --- He is directed to remain present for enquiry regularly and punctually whichout fail.

19/1/2006



704

*Just*

No.KTC/PERS/566/2005-06/

Date: 3.1.2006

To,  
Shri P. S. Nadkarni,  
'Mangirish'  
H. No. 760/14, Chogam Road,  
Behind Dr. Bhale's Hospital,  
Porvorim Bardez-Goa.

Sub: Enquiry of Shri Mahesh P. Kamat, O.S.D.  
Ref: Letter No.PSN/INQ/KTC/1/2005 dated 14.12.2005

Sir,

With reference to your letter cited above, it is to inform you that, there was a communication gap and hence the Presenting Officer could not attend the Enquiry.

You are ~~informed to issue fresh notice to the Presenting Officer fixing next date of the inquiry. Presenting Officer is instructed to specifically remain present for enquiry regularly and punctually without fail.~~ *requested to continue conduct - the enquiry after fixing date*  
*specifically*

If the Presenting Officer fail to remain present for enquiry on appointed date inspite of ~~your notices~~ *proper* you ~~were~~ *may* proceed with the enquiry exparte as per CCS Rules. *The enquiry file is submitted forwarded herewith.*

Yours faithfully,

*[Signature]*

( S. V. Naik )  
Managing Director

*to N.C. Staff Asst & Party of the  
He is directed to issue fresh notice  
regularly and punctually without fail.*



703

No.KTC/SDMN/1-2/2005-06/2534  
Kadamba Transport Corpn.I td.,  
Alto porvorim,

Date: 23.11.2005

To,  
Shri Mahesh P. Kamat,  
Officer on Special Duty,  
K.T.C.L.,  
Alto Porvorim.

Ref: 1. Your letter dated 13.10.2005  
2. Letter No.KTC/OSD/14(1)05-06/78 dated  
2.11.2005

*With reference to your letters under reference, confidential letter addressed to you were delivered to your office/Inward staff Miss Onisa Fernandes, Jr.Steno, and the said letter was acknowledged by her. However, acknowledgement of the said letter cannot be given as the said letter is in the Enquiry file furnished to Shri P. S. Nadkarni, Enquiry Officer.*

  
( S.V. Nalk )  
Managing Director

ok

MPK  
23/11/05  
5.20pm



702

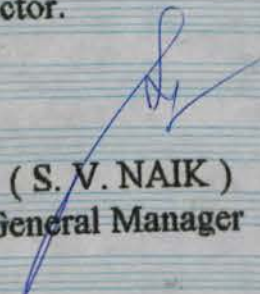
No. KTC/PERS/86/2005-06/2533  
Kadamba Transport Corpn. Ltd.,  
Alto Porvorim.

Date: 23.11.2005

ORDER

Miss Onissa Fernandes, Jr. Steno is hereby directed to attend typing work of the Enquiry proceeding in respect of Shri Mahesh P. Kamat, O.S.D. to be conducted by Shri P.S. Nadkarni, Enquiry Officer in the Conference Hall, K.T.C.L. Alto Porvorim in addition to her own duties as and when the enquiry is fixed by the Enquiry Officer.

This issue with the approval of Managing Director.

  
( S. V. NAIK )  
General Manager

To,  
Miss Onisa Fernandes,  
Jr. ~~Fernandes~~ Steno  
K.T.C.L.,  
Admn. Dept., Alto Porvorim.

C c, 1. Officer on Special Duty - for information.  
2. Pers. file.  
3. O/C.



(701)

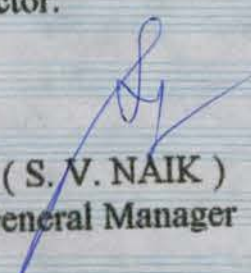
No. KTC/PERS/86/2005-06/ 2533  
Kadamba Transport Corpn. Ltd.,  
Alto Porvorim.

Date: 23.11.2005

O R D E R


Miss Onissa Fernandes, Jr. Steno is hereby directed to attend typing work of the Enquiry proceeding in respect of Shri Mahesh P. Kamat, O.S.D. to be conducted by Shri P.S. Nadkarni, Enquiry Officer in the Conference Hall, K.T.C.L. Alto Porvorim in addition to her own duties as and when the enquiry is fixed by the Enquiry Officer.

This issue with the approval of Managing Director.

  
( S. V. NAIK )  
General Manager

To,  
Miss Onisa Fernandes,  
Jr. Fernandes,  
K.T.C.L.,  
Admn. Dept., Alto Porvorim.

C c, 1. Officer on Special Duty – for information.  
2. Pers. file.  
3. O/C.

  
23/11/05



700

No.KTC/PERS/(566)/2005-06/ 2381

: 8.11.2005

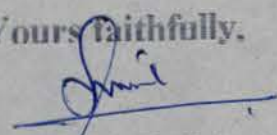
To,  
The Addl. Director of Vigilence,  
Directorate of Vigilence,  
Serra Bldg., Near A.I.R.  
Altinho, Panaji-Goa.

Sir,

I am forwarding herewith representation dated 24.10.2005  
pertaining to Shri Mahesh P. Kamat, Officer On Special Duty for your  
necessary action, as deemed fit.

Encl: as above:

Yours faithfully,

  
(S.V. Naik)  
Managing Director

MP/MS  
14/11/05



400

No.KTC/PERS/(566)/2005-06/ 2381

: 8.11.2005

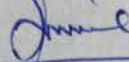
To,  
The Addl. Director of Vigilence,  
Directorate of Vigilence,  
Serra Bldg., Near A.I.R.  
Altinho, Panaji-Goa.

Sir,

I am forwarding herewith representation dated 24.10.2005  
pertaining to Shri Mahesh P. Kamat, Officer On Special Duty for your  
necessary action, as deemed fit.

Encl: as above:

Yours faithfully,



( S.V. Naik )

Managing Director



N O T E

Date: 5.11.2005

Letter dated 24.10.2005 address to Addl. Director of Vigilance by Shri Mahesh P. Kamat, O.S.D. is placed herewith. He has requested for his empanelment on the list of Enquiry Officer appointed by the Governemnt for conducting domestic inquiries in disciplinary proceedings.

In this connection, it is submitted that, the ~~case~~ <sup>cadre</sup> promotional/post of Shri M.P.Kamat is Dy.Financial Controller. In view of his request may please decide.

P. O.

<sup>Q</sup>  
<sup>use.</sup>  
Before deciding to forward the application, we have to decide whether work of computer will be useful if appointed/case considered for empanelment.  
- submitted.

ms  
15/11

The officers in the service are required to conduct the inquiries in addition to their own duties, if ~~any~~ inquiries are assigned. We may forward the request of Shri Kamat to vigilance Deptt.

ms  
15/11/05

ms  
15/11

AS approved letter is placed herewith on signature.

ms  
15/11

ms  
10/11/05

1091

1093  
8/11

1119  
read  
Vikram



653

KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 6305  
Date: 4/3/06

7192  
2/3/06

From: Shri M. P. Kamat  
Officer On Special Duty  
K. T. C. Ltd.,  
Porvorim-Goa.

Date: 1-3-2006.

To,  
The Managing Director  
Kadamba Transport Corporation Ltd.,  
Porvorim-Goa.

Sir,

After availing Earned Leave ~~from~~ for 6 days from  
23-2-2006 to 28-2-2006, I am joining my duty to-day  
1-3-2006.

Balance E.L. to my credit as at 31-12-2005 is 246.  
Adding back 15 days leave for 1st half of 2006 and setting  
of 6 days E.L., the leave balance to my credit is 255 days  
as on date.

Yours faithfully

*(Signature)*

( M. P. Kamat )  
Officer On Special Du

*(Signature)*  
2/8/06

*(Signature)*

*(Signature)*

PO



PERSONAL  
SERIAL NO. 4162  
DATE 25/10/05

698

From: Shri. M. P. Kamat,  
Officer On Special Duty,  
Kadamba Transport Corpn. Ltd.,  
Alto Porvorim - Goa.

Dated: 24/10/2005.

To,  
The Addl. Director of Vigilance,  
Directorate of Vigilance,  
Serra Bldg., Near A.I.R.,  
Altinho, Panaji - Goa.

M 25/10/05  
pp. P. A. M. S.  
M. P. Kamat  
24/10/05  
C. M. S.

THROUGH PROPER CHANNEL.

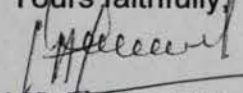
SUB: Regarding empanelment as Enquiry Officer.

Sir,

I am in the employment of Kadamba Transport Corporation Ltd., as an Officer On Special Duty, also nominated as Estate Officer vide Government Notification No. 24/2/87-RD dated 29/03/2004. The post of Estate Officer is quasi-judicial post and the orders passed by the Estate Officer are appealable only before the District Court. I am having adequate knowledge and experience in drafting the Charge Sheets, conducting inquiries, presenting and defending the inquiries.

Considering the quasi-judicial status presently occupied and my interest and experience in the field, I request for my empanelment on the list of Enquiry Officer appointed by the Government for conducting domestic inquiries in disciplinary proceedings. I hope my request will be considered and inquiries shall be allotted in due course.

Yours faithfully,



( M. P. Kamat )

OFFICER ON SPECIAL DUTY



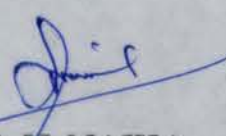
28 697


No.KTC/PERS/104/05-06/ 22  
Kadamba Transport Corpn.Ltd.,  
Alto Porvorim-Goa.

Date: 04.04.2006

To,  
Shri Mahesh P. Kamat,  
O.S.D.,  
Kadamba Transport Corpn.Ltd.,  
Alto Porvorim-Goa.

Refer your Note No.KTC/OSD/14(1)/2005-06/115 dated 27.1.2005 and to inform you that, your case is fully examined in the light of existing L.T.C. Rule and it is informed that, you are not eligible for reimbursement of supplementary L.T.C. claim.

  
( S. V. NAIK )  
Managing Director

  
6/4/06  
O/K

7/



696

From: Shri. M. P. Kamat,  
Officer On Special Duty,  
K.T.C.L., HO,  
Alto Porvorim - Goa.

3904  
13/10/05

Dated: 13/10/2005.

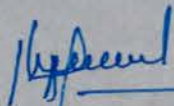
To,  
The Managing Director,  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

Sub: Joining Report.

Sir,

After availing leave from 12/09/2005 to 11/10/2005,  
I am joining Office today i.e. 13/10/2005 (BN). After  
availing 30 days leave, the leave balance to my credit is  
246 days as per the leave statement furnished vide Note  
dated 24/08/2005.

Yours faithfully,



( M. P. Kamat )  
OFFICER ON SPECIAL DUTY

Copy to:

The Personnel Officer, KTCL.



695

From: Shri. M. P. Kamat,  
Officer On Special Duty,  
K.T.C.L., HO,  
Alto Perverim - Goa.

KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 3143  
Date: 13/10/05

Dated: 13/10/2005.

To,  
The Managing Director,  
Kadamba Transport Corporation Ltd.,  
Alto Perverim - Goa.

Personnel Department  
Inward No. 3920  
14/10/05

Sub: Joining Report.

Sir,

After availing leave from 12/09/2005 to 11/10/2005,  
I am joining Office today i.e. 13/10/2005 (BN). After  
availing 30 days leave, the leave balance to my credit is  
246 days as per the leave statement furnished vide Note  
dated 24/08/2005.

P.O

af

Yours faithfully,

( M. P. Kamat )  
OFFICER ON SPECIAL DUTY

Copy to:  
The Personnel Officer, KTCL.



694  
✓

It is therefore proposed that we may settle the claim as per the entitlement given on page 224 'Swamy's Hand Book 2006' without waiting for further clarification from the Personnel Department in that regard upto Srinagar and to consider the rest of the claim as per the decision in that regard.

X

Submitted for necessary approval.

*[Signature]*  
(Y. D. GAUDE)  
Asst. Financial Controller

Managing Director

The officer has not produced the documentary evidence (Ticket) towards travel from Srinagar to Pehalgam.

I.A. may pl comment with reference to 'A' pre-page.

*[Signature]*  
21/12/05

I.A.

The issue regarding last point Sonemery or Pehalgam would have been considered by M.D. but in absence of proper vouchers regarding travel from Srinagar to Pehalgam, the claim cannot be admitted, ~~since~~ in view of setting a Precedent for such claims in future.

Claim upto Srinagar be settled as proposed at 'x' above

M.D.

*[Signature]*  
21/12/05

5602  
3/1/06

~~AFC~~

For NA as approved

*[Signature]*  
3/1/06

*[Signature]*  
3/1/06

Acct. No. 21/106  
AFC

*[Signature]*  
21/12/05  
N/S



293

N/6

As per the remark at 'A' on N/4 the amount of LTC claim was worked out i.e. entitlement as per rail fare amounting to Rs. 18646/- and as per approval on N/5 the Claimant was informed to collect the amount due to him after adjustment of LTC advance and the Personnel Department was informed to obtain clarification from the Personnel Department, Secretariat in view of submission of the Claimant that he is entitle for air fare as per OM No. 31011/2/2003-Estt.(A) dated 16.6.2004. Our reference note to the above is No.KTC/ACCTS/(H.O.)/2005-06/1424 dated 14.10.2005. However, we have not received any clarification from the Personnel Department.

Now, the Claimant has pointed out that entitlement by air as claimed by him is figuring on Swamy's Hand Book 2006 page No. 224 under Chapter 18 "Leave Travel Concession" and that his claim be settled accordingly without any further delay.

The Accounts Department has always settled the LTC claims with reference to Swamy's Hand Book. However, in this case it was referred to the Govt. Department and Personnel Department since the entitlement was not figuring on Swamy's Hand Book 2005 edition as contended by the Claimant at the time of submission of claim. However, the said entitlement is figuring now on Swamy's Hand Book latest edition 2006 as cited above and therefore the matter stands clarified for settlement of claim as per the procedure followed in the past.

Further, the Claimant has claimed an amount of Rs. 3000/- towards travelling expenditure incurred by him on to & fro journey from Srinagar to Pehalgaum with a hired vehicle Tata Sumo on the ground that it is a disturbed and very sensitive area as per Flag 'A'. In this regard the Claimant submitted vide Note No.KTC/OSD/14(1)/2005-06/96 dated 12.12.2005 placed at Flag 'B' that there are no transport buses operated by J & K STC in the State from Sringar to Pehalgaum and enclosed a xerox copy of the photograph to establish his visit at Pehalgaum and no ticket nor any proof towards payment of travelling fare is enclosed. The submission made cannot be established through photograph ~~of~~ therefore the claim to that extent does not become admissible.

The point here is that the last place of his visit as delcared by the Claimant was at Sonmarg in Kashmir and that he has visited at Pehalgaum in Kashmir other than the declared plce for which an approval is necessary. Further a decision is required to consider claim for Rs. 3000/- towards travelling to the said place without ticket and based on his undertaking if approved.

A

Cont.



KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 5581  
Date: 28/1/06

No. KTC/OSD/14(1)/2005-06/ 115  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

Dated: 27/01/2006.

K T C LTD.  
6429  
3/2/06

**NOTE**

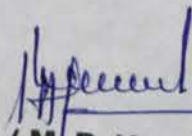
Further to my Note dated 10/01/2006, I am to submit that the claim settlement has been made by the Finance Department upto Srinagar, on the ground that the claim is upto the declared place. On perusal of the claim application, it is apparent that the declared place is Kashmir, which is the State and the place of travelling can be upto any point in the State of Kashmir. Therefore, restricting my claim on the ground as per documentary evidence is irrational. Meantime, considering the casual approach to the claim by the Finance Department, I had contacted the Car owner and submit herewith the following information.

<u>Name of Owner</u>	<u>Car Make</u>	<u>Registration No.</u>
Shri. Manzoor Ahmed	Tata Sumo	JK - 04 - 4351

Vide my Note dated 10/01/2006, I have explained the situation in which, the journey has been performed considering the disturbed area and the topographical situation of the place visited. Needless to state that the buses did not run on snow and the claim has to be allowed as per the mode of transport available.

I am enclosing herewith LTC Claim settlement with respect to Shri. A. S. Shirvoikar, Personnel Officer based upon Swamy's CCS Leave Concession Rules as produced by him to get his claim settlement under "Rule 18, power to relax". I request that this travelling expenses as claimed by me be allowed under the said Rule under the discretionary powers of the Managing Director. Supplementary claim with respect of travel from the end of the road till the mountain peak through other mode of transport follows.

Once again I request you to consider my present claim with the additional information as to the name of the Driver and vehicle No. be settled under discretionary powers vide Rule 18, power to relax.

  
( M. P. Kamāt )  
OFFICER ON SPECIAL DUTY

Encl: As above.

To,  
The Managing Director,  
KTCL, Porvorim.



N/1

23  
691

KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 419  
Date: 2/5/05

From:  
A. S. Shirvoikar,  
Personnel Officer,  
Kadamba Transport Corporation Limited,  
Paraiso-de-Goa, Alto-Porvorim, Bardez - Goa.  
Date:- 2/5/2005

To,  
The Managing Director,  
Kadamba Transport Corporation Limited,  
Paraiso-de-Goa, Alto-Porvorim,  
Bardez - Goa.

Sub:- Reimbursement of Leave Travel Concession Claim

Sir,

I had availed LTC for the block year 1998-2001 (extended upto 2002) to travel from Margao - Delhi - Rajasthan-Gujrat and back. An amount of Rs 10,000/- were obtained as an advance. On completion of my tour, the tickets were submitted for settlement of the claim to the Accounts Department. The queries raised by the Accounts Department for not submission of the return tickets were cleared and the required documents were also submitted. The Accounts Department were informed that the return tickets cannot be submitted due to mis-placement. The hostel receipt towards stay at Association of State Transport Undertaking at New Delhi were submitted to confirm my visit and stay at New Delhi. However, Accounts Department rejected my claim on the ground that LTC is found not admissible for reimbursement as per the LTC rules as no tickets were produced for the journey undertaken by me at declared place in Ahmedabad in Gujarat. Clause No. 18 of Leave Travel Concession Rules provides that;

18. Power to relax:- Save as otherwise provided in these rules, where any Ministry of Department of the Government is satisfied that the operation of any of these rules causes undue hardship in any particular case, that Ministry or Department, as the case may be, may, by order, for reasons to be recorded in writing, dispense with or relax the requirements of that rule to such extent and, subject to such exception and conditions as it may consider necessary for dealing with the case in a just and equitable manner:

Provided that no such order shall be made except with the concurrence of the Department of Personnel and Training.

Considering the production of onward railway tickets and the stay receipt at Delhi, it is kindly requested to relax the requirements of production of return tickets as provided under above LTC clause and the LTC claim be reimbursed in full for which act, I will be grateful to you.

Yours Sincerely,

(A. S. Shirvoikar)  
PERSONNEL OFFICER

In view of ~~request made~~ <sup>request made</sup> above and request made by applicant - A-A' can relaxation be granted by MD or it has to go to BOD & Pt clarify. hasan  
1. A 10/7/05

10  
25

L.T.C.L  
Legal Department  
Inward No. 180  
Date. 13/07/05



600

N/2

M.D. can exercise his discretionary power need not require Board decision.

Submitted.

*[Signature]*

~~M.D.~~

In view of above advise purport of Shri Shriniker for relaxing the conditions of return ticket is approved. However this may not be taken as precedent for any future case as such matters are to be judged in just and equitable manner. Also Shri Shriniker may be instructed to be more careful in future case may be settled on priority.

13/7  
*[Signature]*  
13/7

554  
17/05

AF For Note as approved.

*[Signature]*  
17/05

*[Signature]*  
17/05

As per the ticket no 96269232 enclosed in the file, Mangalore the fare from Mangalore to Hazrat Nizamuddin is Rs. 522/- and as per the above approval, if the return journey is considered for Rs. 522/-, then the amount payable to Shri A. Shriniker is Rs. 1044/- Return of payment may be provided.

Amount  
*[Signature]*  
Cont. next on 1/3

17/05



689

92

SWAMY'S—C.C.S. LEAVE TRAVEL CONCESSION RULES

(3) If the Government servant is fully exonerated of the charge of fraudulent claim of leave travel concession, he shall be allowed to avail of the concession withheld earlier as additional set(s) in future block years but before the normal date of his superannuation.

EXPLANATION.—For the purpose of this rule, leave travel concession to home town and leave travel concession to any place in India as specified in Clauses (a) and (b) of Rule 8 shall constitute two sets of the leave travel concession.

17. Interpretation.—If there is any doubt regarding any of the provisions in these rules, the matter shall be referred to the Government of India in the Department of Personnel and Training, who shall decide the same.

18. Power to relax.—Save as otherwise provided in these rules, where any Ministry or Department of the Government is satisfied that the operation of any of these rules causes undue hardship in any particular case, that Ministry or Department, as the case may be, may, by order, for reasons to be recorded in writing, dispense with or relax the requirements of that rule to such extent and, subject to such exception and conditions as it may consider necessary for dealing with the case in a just and equitable manner:

Provided that no such order shall be made except with the concurrence of the Department of Personnel and Training.

19. Saving.—All the existing instructions which are not contrary to any of the provisions of these rules and all instructions which cover matters not specifically covered by these rules, shall continue to be in force until they are amended, modified or cancelled.

Subj

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suitably  
maintain  
staff, th  
appropri

.L.T.



No.KTC/Accts/(H.O.)/2005-06/1424  
Accounts Department,  
Kadamba Transport Corporation Ltd.,  
Porvorim-Goa.

688

Date:- 14.10.2005.


21

3915  
14/10/05

N O T E

The LTC claim in respect of Shri M.P. Kamat, OSD is approved for settlement as per existing provisions pending clarification from the Personnel Department, Secretariat. As per approval granted on M/5 the same is to be referred to the Personnel Department, Secretariat at your end in view of his claim that he is entitled for Air Fare. Xerox copies of notings N/4 and N/5 are enclosed herewith alongwith copy of O.M. No.31011/2/2003 -Estt.(A) dt 16.6.2004 submitted by Shri M.P. Kamat, OSD towards his LTC claim for your necessary action as per the approval and to inform us accordingly to settle the claim of the incumbent if any.

End: As above

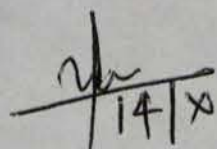
  
( Y. D. Gaude )  
Asstt. Financial Controller

To,  
The Personnel Officer,  
KTCL, Porvorim-Goa.

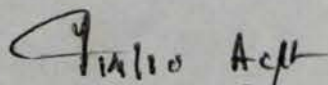
C.C. to:-

1. Shri M.P. Kamat, OSD for information and may collect the amount of LTC claim as approved.
2. Office file.
3. Guard file.

No action can be taken unless all relevant papers are found.

  
14/10

May arrange to provide copies of other related documents.

  
14/10

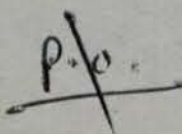
Set of xerox copies obtained from the file are put by hand.

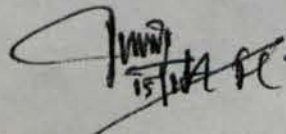
The relevant papers are enclosed herewith. 14/10

390  
14/10/05



4012  
14/10/05



  
15/10/05



# KADAMBA TRANSPORT CORPORATION LTD.

(Government of Goa Undertaking)



Paraiso de Goa,  
Alto Porvorim,  
Bardez, Goa - 403 521.  
Ph. No. 2415903/ 2415606  
Fax: (0832) 2415903  
E-mail : Ktcl @sancharnet. in

Ref. No.KTC/PERS/(566)/05-06/ 2360

Date : 26.10.2005

To,  
The Under Secretary,  
Personnel Department,  
Govt. Of Goa,  
Secretariat,  
Alto Porvorim-Goa.

Sir,

This is to inform you that, one of our Officer has availed L.T.C. for the current block for the journey from Goa to Delhi by Train and thereafter by Air between New Delhi to Srinagar. Though there is no specific provision for reimbursement of Air ticket for travel between New Delhi to Srinagar, he has produce OM No.31011/2/2003-F.stt.(A) dated 16.6.2004 claiming that he is entitle for reimbursement of Air ticket between New Delhi to Srinagar. Xerox copy of the said OM enclosed.

It is therefore kindly requested to confirm whether such OM is made applicable to the employees of the Govt. Of Goa to enable us to consider the LTC claim of our Officers accordingly.

The information may be sent at the earliest.

Yours faithfully,

( S. V. Naik )  
Managing Director

Encl: as above.

P.T.O



KADAMBA TRANSPORT CORPORATION LTD.  
 No. 4273  
 Date: 7/12/05

Per. Department

The subject matter pertains to Finance Department we may transfer this to FD, with a request to give suitable reply to KTC.

SAY  
 18/11/05  
 S.O. 18-11-05  
 U.S. (Per)  
 U.S. (Fin Exp)

Department  
 442-L  
 24/11/05

This is to inform you that one of our Officer has availed L.T.C. for the current block for the journey from Goa to Delhi by Train and thereafter by Air between New Delhi to Srinagar. Though there is no specific provision for reimbursement of Air ticket for travel between New Delhi to Srinagar, he has produced OM No 310112003-Per (A) dated 16.6.2004 claiming that he is entitled for reimbursement of Air ticket between New Delhi to Srinagar. Xerox copy of the said OM enclosed.

It is therefore kindly requested to confirm whether such OM is made applicable to the employees of the Govt. Of Goa to enable us to consider the L.T.C. claim of our Officers accordingly.

Finance (Exp) Dept

The Deptt. may take the matter with Directorate of Accounts.

28/11/05  
 S.O. (Crat)  
 U.S. (Fin Exp)  
 J.S. (Per)  
 M.D. KTC.  
 P.O.  
 7/12/05

No. KTC/ERS (266) 05-06

To  
 The Under Secretary  
 Personnel Department  
 Govt. Of Goa  
 Secretariat  
 Vito Porvorim-Goa

Sir

RECORDED  
 15/12/05  
 10/12/05

Trick: as above



2. The matter has been examined in consultation with the Ministry of Finance. It has been decided as under—

- (i) The Ministry/Department, on whose cadre the posts are borne should include the posts in the Annual Direct Recruitment Plan (ADRP) prepared by it, for consideration of the appropriate Screening Committee. This will facilitate *de facto* appraisal of the workload of these posts by the Ministry/Department as well as the need to continue/abolish the post(s). It may, however, be added that any decision in the matter may be taken in consultation with the nodal cadre controlling Ministry/Department wherever considered feasible.

242

G.I., M.F., O.M. No. 3(4)/E/II(A)/99, dated 11-12-2003

**TATA Indigo GLX approved for use as staff car in the AC category**

The undersigned is directed to refer to this Department's O.M. of even number, dated 27-11-2003 on the above subject and to say that besides the models of staff cars listed therein, TATA Indigo GLX has also been included in the list of approved models of staff car (in AC category) to be purchased through DG S&D rate contract.

It is reiterated that the approved models of AC category of staff cars can be used only by the Ministries and Officers of the level of Secretary to the Government of India and above.

243

G.I., Dept. of Per. & Trg., O.M. No. 31011/2/2003-Estt. (A),  
dated 16-6-2004

**Groups 'A' and 'B' officers can travel by air  
between New Delhi to Srinagar on LTC**

The undersigned is directed to say that in relaxation of Rule 12 (1) of the CCS (LTC) Rules, 1988, the Government have now decided to permit all Groups 'A' and 'B' Government servants to travel on LTC by Air Economy (Y) class in national carrier between New Delhi and Srinagar for a period of two years and allow air fare reimbursement accordingly. These orders shall apply to Government servants who intend to visit Srinagar, by availing All India LTC, provided New Delhi is the originating station or is *en route* to Srinagar.

2. These orders shall take effect from the date of issue.

3. In their application to the staff serving in the Indian Audit and Accounts Department, these orders issue after consultation with the Comptroller and Auditor-General of India.



685  
18

No.KTC/PERS/(566)/05-06/ 2360

26.10.2005

To,  
The Under Secretary,  
Personnel Department,  
Govt. Of Goa,  
Secretariat,  
Alto Porvorim-Goa.

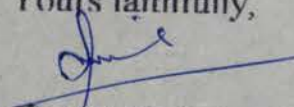
Sir,

This is to inform you that, one of our Officer has availed L.T.C. for the current block for the journey from Goa to Delhi by Train and thereafter by Air between New Delhi to Srinagar. Though there is no specific provision for reimbursement of Air ticket for travel between New Delhi to Srinagar, he has produce OM No.31011/2/2003-Estt.(A) dated 16.6.2004 claiming that he is entitle for reimbursement of Air ticket between New Delhi to Srinagar. Xerox copy of the said OM enclosed.

It is therefore kindly requested to confirm whether such OM is made applicable to the employees of the Govt. Of Goa to enable us to consider the LTC claim of our Officers accordingly.

The information may be sent at the earliest.

Yours faithfully,

  
( S. V. Naik )  
Managing Director

Encl: as above.



(17) (684)

No.KTC/PERS/(566)/05-06/2004 2360

20.10.2004

To,  
The Under Secretary,  
Personnel Department,  
Govt. Of Goa,  
Secretariat,  
Alto Porvorim-Goa.

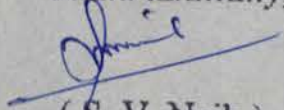
Sir,

This is to inform you that, one of our Officer has availed L.T.C. for the current block for the journey from Goa to Delhi by Train and thereafter by Air between New Delhi to Srinagar. Though there is no specific provision for reimbursement of Air ticket for travel between New Delhi to Srinagar, he has produce OM No.31011/2/2003-Estt.(A) dated 16.6.2004 claiming that he is entitle for reimbursement of Air ticket between New Delhi to Srinagar. Xerox copy of the said OM enclosed.

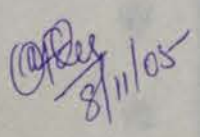
It is therefore kindly requested to confirm whether such OM is made applicable to the employees of the Govt. Of Goa to enable us to consider the LTC claim of our Officers accordingly.

The information may be sent at the earliest.

Yours faithfully,

  
( S. V. Naik )  
Managing Director

Encl: as above.

  
8/11/05



NOTE.

683

27.6.05  
16

X | We have received the travel tickets from Shri M. P. Kamat, OSD towards settlement of L.T.C. claim. However he has attached air tickets for travel from New Delhi to Shrinagar and vice-versa, stating that he is eligible to travel on LTC by air in national carrier between New Delhi and Shrinagar under ces (LTC) Rule 1988, Rule 12(1), by enclosing a copy of or voucher. However the same cannot be confirmed from the LTC books available with us.

Further he has also stated that he has spent Rs. 3000/- by hiring a private vehicle to travel to Pulgam from Shrinagar and back.

In view of the above, settlement of his claim may be decided.

27/6

Accountant - 27/6

AC put up claim as per the entitlement.

28/6

Acct 29/6

AL/106

Entitlement to travel from New Delhi to Shrinagar by air cannot be confirmed as stated above. However the fare for 2 adults and 1 child on rail by 2 time AC is as below, on both ways.

Way to Delhi	11396 = 00
Delhi to Jammu town	5420 = 00
	<hr/>
	16816 = 00

Am't advanced on 4.5.05	- 13500 = 00
of P.V no. 440 dt. 4.5.05	
	<hr/>

Balance to be paid if	3316 = 00
rail fare is paid upto Jammu town	
	<hr/>

However authorities may please advise

Accountant

29/6







681  
15

OM No. 31011/2/2003 - Estt. (A) dt. 16.6.2004 as enclosed by the claimant for his entitlement is not received by us from the Govt. and it is also not appearing on latest addition of Swamy's hand book. The Goa Govt. have not issued any circular for implementation of the said O.M. for benefit of the Goa Govt. employees as confirmed from the Directorate of Accounts Purnasi & Margao offices and also from the ~~personnel~~ Finance Dept. Secretariate Government. Nor the Directorate of Accounts have settled any case of LTC claim as per the said O.M.

Therefore the claim was referred to the Director of A/c's for clarification & the reply letter received from the Director of A/c's is placed in the file of 'A' which is not clear to settle the claim as submitted by the claimant that he is entitled for air fare from Delhi to Shrinagar as per the O.M.

In view of the above it is suggested that the matter may be referred to the legal dept for advice & to 'A' decide the case.

Submitted:

*[Signature]*  
AFC 19/7/05

M.D.

'A' Approved.

Also ask from Finance Dept. Govt. of Goa which approves/ issues such notifications.

*[Signature]*  
M.D.

AFC *[Signature]* 2/2017

K. T. C. L.  
Legal Department

Inward No. 198

Date 21/07/05

A. As per enclosed OM even no dated 16-6-2004 claimant is entitled for the benefit since he has enclosed Air tickets from New Delhi to Shrinagar and travelled in the economy class. It is difficult to understand as to whether we are following CCS rules or as per Goa Govt circular? In such case it is proper we can refer this case to our Personnel department for entitlement since they have recommended



(630) N/A  
for LTC advance as per note no nil dated  
13-4-2005 at para 'x'  
Submitted.

A.B.C. Y  
25/7/05

[Signature]  
25/7/05

P.B. We have made it clear that on the LTC rule he is not eligible for travel by flight.

Ale

[Signature]  
26/7

2283  
25/7/05

2519  
26/7/05

The clarification obtained from the Finance Dept. Secretariate regarding non issue of notification/circular against the said OM - is mentioned at 'x' on page. We are in receipt of 2nd reminder from the claimant for settlement of LTC claim & the same is placed at 'B' above. We may clear the LTC claim as clarified by the Personnel Dept. However Authority may decide.

Y  
27/7/05

M.D.

We may refer the matter to Personnel Deptt. Sett. and pending clarification we may clear the LTC claim as per existing provisions.

[Signature]  
13/8/05

3496  
17/9/05

A.P.C. For NA  
1919 Acct

Account - pl. put up in view of BDR

Payment of balance amount of Rs. 3316/- vide N/A may be seen. ~~...~~

Accountant The claim worked to Rs 16814. to be adjusted against advance of Rs 13500/- Balance payable Rs. 3316/- Also put up draft letter to the Secretary, Staff.

A.P.C.

N/A  
22/9



N/5

(67)

AFC The claimant has travelled upto Srinagar as per the Air ticket enclosed to the claim. The claim is therefore to be worked out restricting to the entitlement upto Srinagar or not upto Jammu/Tabi as shown on N/5.

(14)

~~Yunus~~ 13/10/05  
AFC  
10/11/05  
28/9

The claims is as below

MRL to Jammu - By Railway  
for 2 and <sup>one</sup> half persons.  
for both ways.

Rs

16,816.00

Jammu to Srinagar & back - one way  
Kms - 305 @ Rs. 1.00 per km. (AFC fare for bus)  
for 3 persons X 2

1830.00

Total 18,646.00

& Advance paid

13,500.00

Balance

5,146.00

AFC The total amount of LTC claim is worked out to Rs. 18,646/- (Rupees Eighteen thousand six hundred forty six only) as shown above. The same be approved for adjustment against LTC advance of Rs. 13,500/- to pay the balance of Rs. 5,146/-

However referring the matter to the personnel dept. Secretariate for clarification may be marked to our personnel dept. in view of their ruling regarding eligibility of 'A' on N/4 or of 'X' on approved note filed in the file of 'AFC'.

~~M.J.~~  
13/11/05

~~Yunus~~ 13/10/05

For N.A. as approved

AFC

13/10/05







417938A VII  
5/7/05

(577)

(12)

No.KTC/Accts/(H.O.)/2005-06/682

Date:- 02.07.2005.

To,  
The Director of Accounts  
Directorate of Accounts,  
Govt. of Goa,  
Panaji-Goa.

Sir,

We are in receipt of one LTC claim in respect of group 'B' Officer with basic pay Rs 13900/- for journey performed by him from Margao to Delhi by train by Goa Sampark Kranti Express 1st class A/c and from Delhi to Srinagar by Indian Airlines 'G' class and further travelled up to Pehlgaum by private taxi and back as per the said mode of transport.

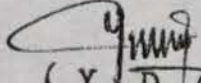
The Claimant has claimed that he is entitled for reimbursement of 'Air Fare' as per O.M. No. GI Dept. of Per & Trg.O.M. No. 31011/2/2003-Estt.(A), dtd 16.6.2004 as appeared in Swamynews August 2004. A copy of which is enclosed herewith for ready reference as submitted by the Claimant. Officers of this Corporation are governed under CCS rules.

You are requested to kindly clarify regarding settlement of claim as per the entitlement and O.M. enclosed.

Thanking you,

Yours faithfully,

(Encl:- As above. )

  
( Y. D. Gaude )  
Asstt. Financial Controller

C.C. to:-

1. Office file.
2. Guard file.



ORDER

No. KTC/OSD/14(1)/2005-06/43  
Kadamba Transport Corporation Ltd.  
Alto Porvorim - Goa.

676

2305  
15/7/05

Dated: 14/7/2005.

11

N O T E

Your reference is drawn to Note No. KTC/OSD/14(1)/2005-06/25 dated 3/6/2005 regarding LTC claim submitted and duly acknowledged by the Office on the same date. Nothing is heard from the Accounts Department till date. You are required to expedite the settlement of the claim at the earliest.

*M. P. Kamat*  
( M. P. Kamat )  
OFFICER ON SPECIAL DUTY

To  
A. F. C.

Copy to:  
The Managing Director, KTCL, Porvorim.

*Subj reply note*

*15/7 Act*

*18/7*

*Don't make attachment*

*16/7*

*Accountant*

*18/7*

Aff



Government of Goa,  
Directorate of Accounts,  
Control Section,  
Panaji-Goa.

675

10

2371  
18/7/05

No.DA/Control/7-6/121


Dated:- -7-2005.

To,  
The Assistant Financial Controller,  
Kadamba Transport Corporation Ltd.,  
Paraiso De Goa, Alto-Porvorim,  
Bardez-Goa -403 521.

Sir,

I am to refer to your letter No.KTC/Accts/(H.O.)/2005-06/682 dated 2-7-2005 and to state that the required clarification may be obtained from the Government.

Yours faithfully,

  
( S.N. Mhambrey )

Joint Director of Accounts.

18/7 Acy

19/7

Further action to be taken may be decided.

19/7

Aff



2. The matter has been examined in consultation with the Ministry of Finance. It has been decided as under—

- (i) The Ministry/Department, on whose cadre the posts are borne should include the posts in the Annual Direct Recruitment Plan (ADRP) prepared by it, for consideration of the appropriate Screening Committee. This will facilitate *de facto* appraisal of the workload of these posts by the Ministry/Department as well as the need to continue/abolish the post(s). It may, however, be added that any decision in the matter may be taken in consultation with the nodal cadre controlling Ministry/Department wherever considered feasible.

242

G.I., M.F., O.M. No. 3(4)/E/II(A)/99, dated 11-12-2003

**TATA Indigo GLX approved for use as staff car in the AC category**

The undersigned is directed to refer to this Department's O.M. of even number, dated 27-11-2003 on the above subject and to say that besides the models of staff cars listed therein, TATA Indigo GLX has also been included in the list of approved models of staff car (in AC category) to be purchased through DG S&D rate contract.

It is reiterated that the approved models of AC category of staff cars can be used only by the Ministries and Officers of the level of Secretary to the Government of India and above.

243

G.I., Dept. of Per. & Trg., O.M. No. 31011/2/2003-Estt. (A),  
dated 16-6-2004

**Groups 'A' and 'B' officers can travel by air  
between New Delhi to Srinagar on LTC**

The undersigned is directed to say that in relaxation of Rule 12 (1) of the CCS (LTC) Rules, 1988, the Government have now decided to permit all Groups 'A' and 'B' Government servants to travel on LTC by Air Economy (Y) class in national carrier between New Delhi and Srinagar for a period of two years and allow air fare reimbursement accordingly. These orders shall apply to Government servants who intend to visit Srinagar, by availing All India LTC, provided New Delhi is the originating station or is *en route* to Srinagar.

2. These orders shall take effect from the date of issue.

3. In their application to the staff serving in the Indian Audit and Accounts Department, these orders issue after consultation with the Comptroller and Auditor-General of India.



613  
8

Dated: 7/4/2005.

N O T E

Sub: LTC for the Block Period 2002-05.

116  
11/4/05

I intend to proceed on LTC in the month of May, 2005. The details of the tour are herein below:

- (1) Name & Designation: Shri. Mahesh P. Kamat, Officer On Special Duty, aged 49.  
Family Members: Mrs. Roshan M. Kamat, wife aged 44  
Master Anuj M. Kamat, Son aged 9
- (2) Place of Visit: Kashmir (Sonmarg)
- (3) Route: Madgaon to Delhi by train.  
From Delhi to Srinagar by flight.
- (4) Fare: Goa to Nizamuddin (Rs. 3,500/- per head)  
Delhi to Srinagar (Rs. 4,300/- per head)
- Total Expenditure: (a) Rail Fare - Rs. 21,000.00  
(b) Air Fare - Rs. 25,800.00
- Total: Rs. 46,800.00

I declare that my wife Mrs. Roshan M. Kamat is employed as a Teacher in Loyola High School, Margao and she has not separately availed travel concession during the Block Period 2002-05. I further state that my elder son, Master Nikhil M. Kamat aged 20 years is unable to join the tour, due to his medical exams. Hence, he may travel at a future date and with respect to which, the entitlement as per eligibility will be raised accordingly. Tour advance as per the Rules of LTC may be sanctioned and given to me at the earliest, since the tickets are to be reserved well in advance. I enclose leave application for the period from 5th May, 2005 till 31st May, 2005.

*[Signature]*  
( M. P. Kamat )  
OFFICER ON SPECIAL DUTY

Encl: Leave Application.

To,  
The Managing Director,  
K.T.C.L., Porvorim.

*[Signature]*  
STYLOS

PO



(2)

(7)

(612)

NOTICE

Date: 13/4/05

Note dated 12.4.2005 received from Shri Mahesh P. Kamat O.S.D. is herewith. He has informed that he is intend to proceed on L.T.C. in the month of 2005 and furnished detail as under:

- 1. Name of person proceeding on L.T.C. - Shri Mahesh P. Kamat O.S.D.
- 2. Family Members - Mrs. Roshan M. Kamat, Wife
- 3. Place of Visit - Kashmir
- 4. Route - Madgaon to Delhi by train  
- From Delhi to Srinagar by Air
- 5. Fare - Cost to Payammankin - Rs. 2,200/- per day  
Delhi to Srinagar - Rs. 1,300/- per day
- Total expenditure - i. Rail Fare - Rs. 21,000/-  
ii. Air fare - Rs. 25,200/-  
Total - Rs. 46,200/-

He has further declared that, his wife is employed as a Teacher and she has separately availed L.T.C. during the block year 2002-2005.

He further says that, his Elder Son Master Nikhil M. Kamat is unable to join the tour and he may travel at a future date.

In this connection, It is submitted that, Shri Mahesh P. Kamat O.S.D. is entitled for L.T.C. concession for the block year 2002-2005. As per L.T.C. rule he is not eligible to travel by flight. As per L.T.C. Rule he is eligible for advance up to 90% of the probable amount of reimbursement can be granted.

P.O.

*Handwritten notes:*  
 - Pl. is sanctioned to him to avail L.T.C.  
 He is eligible to avail L.T.C. for the block year 2002-05.  
 He has declared that his wife has not availed L.T.C. separately for her employer.

*Handwritten numbers:*  
 223  
 13/4/05

*Handwritten signatures and dates:*  
 GAH  
 13/4/05  
 13/4

*Handwritten numbers:*  
 265  
 15/4/05

*Handwritten notes:*  
 Pl. Put up amount of advance entitled as per 'X' above.  
 the name of his son master Anuj M. Kamat is not included in this note as per his application dt 7/4/05 placed in the file.

*Handwritten note:*  
 A.F.C. May confirm above and inform the amount of advance payable as per his entitlement.

*Handwritten note:*  
 Received on 19/4/05 - P.O.

P 70



671

From Page

Master Anuj Kamal son of Shri M. P. Kamal as  
declared by him is <sup>referred</sup> to be included  
in the LTC list, i.e. 3 members etc which  
were omitted by oversight

19/4

~~ABC~~ 19/4 ~~ABC~~

The railway fare as per his class of entitlement  
is 2 tier AC is as below as collected from  
Mongers Railway station.

MRC to Delhi	full fare	2252
"	half fare	1194
Delhi to Jammu Tawi	full fare	1057
"	half fare	593

The fare for two adults and one child is as  
below.

MRC to Delhi	5698
Delhi to Jammu Tawi	2710
total.	<u>8408</u>

For both ways (8408 x 2) = 16816

80% concession is permissible. Hence 80% of 16816/-  
works out to Rs. 13452-80. say 13453/-

A.F. The eligibility of LTC is confirmed by personal dept  
for 3 members 2 Adults & 1 minor. The declared place of visit  
as per the note of OSD No. 05 dt. 7/11/05 is Kashmir (Srinagar).  
The mode of transport is by rail from Goa - Delhi or ~~Delhi~~ from  
Delhi to Shrinagar by air.  
Restricting the expenditure on travelling as per his class of

Cont



N/3

(1) (5) 15' 670 -4

entitlement, the total amount of fare from Goa to Shrinagar  
& back by rail is worked out to Rs. 16816/- as shown on N/2,  
and accordingly amount of advance @ 80% of total fare is  
worked out to Rs. 13453/- R/o to Rs. 13500/-  
Submitted for approval to pay LFC advance of Rs. 13500/-

*[Signature]*  
AFC 26/11/05

M.O.

Approved as proposed.

~~26/11~~  
26/11

STOCK = 3500  
100 X 100 = 10000  
Total = 13500

*[Signature]*  
26/11/05

504  
27/11/05  
AFC

P.O.

Received  
on 2/11/05  
in chie

27/11/05

Received Rs. 13500/-

*[Signature]*



N/P

669

NOTE

Date: 12.4.2005

Note dated 07.4.2005 received from Shri Mahesh P. Kamat, O.S.D. is place herewith. He has informed that he is intend to proceed on L.T.C. in the month of May and furnished detail as under:

- 1. Name of person proceeding on L.T.C. - Shri Mahesh P. Kamat, O.S.D.
  - 2. Family Members - Mrs. Roshan M. Kamat, Wife
  - 3. Place of Visit - Kashmir
  - 4. Route - Madgaon to Delhi by train.  
- From Delhi to Srinagar by flight.
  - 5. Fare - Goa to Nizamuddin Rs. 3,500/- per head  
Delhi to Srinagar Rs. 4,300/- per head
- Total expenditure
- i. Rail Fare - Rs. 21,000.00
  - ii Air Fare - Rs. 25,800.00
  - Total Rs. 46,800.00

He has further declared that, his wife is employed as a Teacher and she has not separately availed L.T.C. during the block year 2002-2005.

He further says that, his Elder Son Master Nikhil M. Kamat is unable to join the tour and he may travel at a future date.

In this connection, It is submitted that, Shri Mahesh P. Kamat, O.S.D. is entitled for L.T.C. concession for the block year 2002-2005. As per L.T.C. rule he is not eligible to travel by flight. As per L.T.C. Rule he is eligible for advance up to 90% of the probable amount of reimbursement can be granted.

P.O.

X

PK is sanctioned to him to avail L.T.C.  
 He is eligible to avail L.T.C. for the block year 2002-05  
 He has declared that his wife has not availed L.T.C. separately for her employer.

223  
 13/4/05  
 5.10 PM

G.M.

13/4/05  
 13/4

265  
 15/4/05

A.P.C.

Pt. Putup amount of advance entitle as per 'X' above.

the name of his son master Anuj M. Kamat is not included in this note as per his application, dt. 7.4.05 placed in the file.

A.P.C.

May confirm above and inform the amount of advance payable as per his entitlement.

Received  
 on 19/4/05 - P.O.

P 70

18/4/05



From Page

Master Anuj Kamal, son of Sri M. Kamal as  
declared by him is required to be included  
in the LTC list, i.e. 3 members etc which  
were omitted by oversight.

~~AF~~ 19/4 ~~AA~~

19/4

The railway fare as per his class of entitlement  
is 2 tier AC is as below as collected from  
Mongera Railway station.

MRG to Delhi	full fare	2252
" "	half fare	1194
Delhi to Jammu Tawi	full fare	1057
" "	half fare	593

The fare for two adults and one child is as  
below.

MRG to Delhi	5698
Delhi to Jammu Tawi	2710
<u>total.</u>	<u>8408</u>

For both ways (8408 x 2) = 16816

80% advance is payable. Hence 80% of 16816/-  
works out to Rs. 13452-80. Say 13453/-

~~AF~~ The eligibility of LTC is confirmed by personnel dept 26/4  
for 3 members 2 Adults & 1 minor. The declared place of visit  
as per the note of OSD No. 05 dt. 7/4/05 is Kashmir (Srinagar).  
The mode of transport is by rail from Goa-Delhi or ~~Delhi~~ from  
Delhi to Srinagar by Air.  
Restricting the expenditure on travelling as per his class of

Conf.



entitlement. The total amount of fare from Coon to Srinagar and back by rail is works out to Rs. 1681/- as shown on N/2, and accordingly amount of advance @ 80% of total fare is works out to Rs. 13453/- R/o to Rs. 13500/-

Submitted for approval to pay L.T.C. advance of Rs. 13500/-

*[Signature]*  
AFC 26/10/05

~~M.D.~~

Approved as proposed.

~~26/10~~

504  
27/10/05  
AFC

*[Signature]*  
27/10/05

P.O.

Received on 27/10/05

~ chit 27/10

NOTE

Date: 27.10.2005

Note dated 14.10.2005 forwarded by Accounts Dept. alongwith the xerox copy is place herewith. Accounts Dept. has requested to refer the matter to Personnel Dept. Secretariat to confirm the entitlement of L.T.C. for reimbursement to travel by Air between New Delhi to Srinagar as per OM No.31011/2/2003-Estt(A) dated 16.6.2004. As approved draft letter is place herewith for approval.

~~P.O.~~

As send by Accounts and <sup>(AFC)</sup>  
an approved, draft letter to be send to the U/s  
Personnel Dept. but y letter is placed here for approval

1053

~~MD~~

*[Signature]*  
21/11/05

*[Signature]*  
25/10

~ chit



(666)

A/H

As approved above a letter to be sent to the under secretary in place herewith for signature.

une

P.O.

Received  
07/11/05

[Signature]  
11/10

NOTE

Date: 13.12.2005

We have addressed a letter No.KTC/PERS/(566)05-06 2360 dt. 26.10.2005 to the Under Secretary Personnel Dept. with a request to confirm whether OM under reference is made applicable to the employees of Govt. of Goa. The said letter is place herewith. The Personnel Dept. and Finance(Exp) Dept. Govt. of Goa has pass the appropriate remark and directed to take up the matter with the Directorate of Accounts.

In this connection, it is submitted that previously the matter were taken with the Directorate of Accounts vide our letter No.KTC/Accts(H.O.)2005-06.682 dt. 2.7.2005 at flag 'A'. Accordingly Joint Director of Accounts send their reply and requested that to get required clarification from the Government which is place at flag 'B'.

Since we have already obtain opinion from the Directorate of Account as per flag 'B' further action to be taken be decided.

P.O.

une

- Finance(Exp) Dept proposed that matter be taken with Director of Account.
- The matter were taken with the Director of Account prior to sending <sup>present</sup> letter to Personnel Dept Govt of Goa as proposed by joint Director Accounts Dept. (Flag B).
- We may forward our letter back to Finance Dept (Exp) alongwith copy of letter received.

P.O



N/S

(65)

Annul-Post

Annul Post: Director & Asst. for this further basis and advised.

T. C. AFRIC SECTION  
A/RD NO. S267  
DATE: 14/12/07

Annul  
13/12

Finance (Exp) Dept. has asked to take up the matter with Director of Accounts which dept. prior to letter of A/R under 2-9-07 had asked to refer to. Circulars are generally issued Secretary (Fin. and Com) drawn by or from station & copy guidelines related to finance matters. However, we may refer the matter to Director & Asst. & advised by Finance (Exp) and Com.

Subm. Asst. for Annul

17/12/11

Sand om is already incorporated in the Summary's Hand Book for 2006, and accordingly the Asst. Dir. has presented the claim of Shri. Karmal in a separate file which is marked to I.A. for comments in view of non production of supporting vouchers by Shri. Karmal.

Therefore this matter need not be referred to the Asst. Dir. may be referred as per the advice of I.A.

pp. enclosed

Annul  
28/12/11



663

N/6

NOTE

Date: 1.2.2006

Note dated 27.1.2006 received from Shri M.P. Kamat, O.S.D. is place herewith. He says that, the claim settlement has been made by the Finance Department upto Srinagar on the ground that the claim is upto declare place. He further says that, on perusal of the claim application it is apparent that the declare place is Kashmir which is the state and the place of traveling can be upto any point in the State of Kashmir. Therefore he further says, the restricting his claim on the ground as per documentary evidence is irrational. He also state that considering the casual approach to the claim by the finance Dept., he has contacted the Car Owner and submitted detail as below:

<u>Name of Owner</u>	<u>Car Make</u>	<u>Registration No.</u>
Shri Manzoor Ahmed	Tata Sumo	JK - 04 - 4351

He further says that, vide Note dtd. 10.1.2006 he had explain the situation in which journey has been performed considering the disturbed area and the topographical situation of the place visited. He request that, his traveling expenses has claim be allowed under "Rule 18, power to relax" under the discretionary power of Managing Director. He further request to consider his case and request to consider his case and request with the additional information under discretionary power vide Rule 18, power to relax. In view of above, his representation for settlement of L.T.C. claim be decided.

Submitted:

P.O.

*W.P.*

Considering the decision on the page noting, request made by Shri M.P. Kamat may please be decided.

*Sy GA*

what is the advice of IA?

*mf*  
*12/12*  
*IA?*  
*air*  
*712*

Received on 9/12/06

*P.O.*  
*MS*

If any advise is sought of IA, the same may be available with Accounts Dept.

*Sy GA*

A/c may give advice for IA

*mf*  
*10/12*

6460  
14/2/06

*A.P.*  
6618  
16/2  
*Dy. GME*

A Xerox copy of N/6 with a remark of IA dt. 21.12.05 is enclosed.

*mf*  
*13/12*

As per IA's remarks the above claim is not admissible and the pe mds remarks are clear that case is settled as per IA's remarks. Just giving details for driver's ch proof

*mf*  
15/2/06



r/7

(63)

Cannot be considered as no receipt / voucher has been produced. As such the representative cannot be considered

Pr  
17/12

M.D.

Shri  
9/3/06

Received on 9/3/06

Index

Pr

OP:- 10/3/06

As directed order is placed herewith in signature.

P.O.

Pr

may please be done for signature

Pr  
17/12

M.H.

~~The~~ Mr. Kamal has enclosed the L.T.C. claim settlement of Shri. Shrivastava, which apparently was approved by them and with directions not to be taken as precedent for any future cases, that apart it also not clear as to through which source the copies were awarded. Further it is suggested by Shri Kamal that 'supplementary claims with respect to travel from the end of the road till mountain peak through the mode of transport follows, which is also objectionable, as one can not go on presenting piecemeal claims at his own wishes.

No correspondence in this regard  
He may



662

N/S

on from his in suitable words quote the provisions of sales.

It put up accordingly.

John E  
1/13/17.

Received  
on 12/21/06

P.O.

Immedly

A  
2/2/13

P. 11

John

As approved above, order is placed herewith for signature.

P.O.

M.D.

AH

@

Received  
on 5/14/06

John  
4/4/17.



661

4


No.KTC/PERS/104/2004-2005/ 502  
Kadamba Transport Corpn. Ltd.,  
Alto-Porvorim, Bardez-Goa.

Date:27.4.2005

N O T E

Enclosed herewith please find the Xerox copy of Note dated 12.4.2005 duly approved by the Managing Director for your further necessary action.

Encl: As above

  
( A.S. Shirvoikar )  
Personnel Officer

To,  
The Assistant Financial Controller,  
Kadamba Transport Corpn. Ltd.,  
Alto Porvorim-Goa.

C c, 1. Pers. file.  
2. O/C.  
3. G/F.

  
29/4



शुभ यात्रा		HAPPY JOURNEY								
पी.एन.आर.नं. PNR NO.	गाड़ी नं. TRAIN NO.	तिथि DATE	कि.मी. K.M.	वयस्क बच्चे ADULT CHILD	टिकट नं. TICKET NO.					
825-8594097	2449	17-05-2005	2105	2 1	03868748					
श्रेणी CLASS	JOURNEY CUM RESERVATION TICKET				PR से सुरक्षित					
1 वाता माउगांव 1 A MADGAON	ह. निजामुद्दीन H NIZAMUDDIN		तक / RESERVED UPTO							
कोच COACH	सीट/बर्थ SEAT/BERTH	लिंग SEX	आयु AGE	यात्रा अधिकार पत्र T.AUTHORITY	रियायत CONC	आ.शु. R.FEE	स.शु. S.CH.	सु.अ. SF.CH.	वाउचर रु. VOUCH.RS.	कु.नकद रु. T.CASH.RS.
CONFIRMED		M	49			105	150		10845	
CONFIRMED		F	45			Rs. ONE ZERO EIGHT FOUR FIVE ONL				
CONFIRMED		M	9							
GOA SMPRK K EXP BOARDING MADGAON 17-05-2005 SCHEDULED DEP 11:35										
963 31-03-2005 16:28 MAD 2 VIA SWV -RN -ROHA-BGR										

शुभ यात्रा		HAPPY JOURNEY								
पी.एन.आर.नं. PNR NO.	गाड़ी नं. TRAIN NO.	तिथि DATE	कि.मी. K.M.	वयस्क बच्चे ADULT CHILD	टिकट नं. TICKET NO.					
231-2280710	2450	28-05-2005	2205	2 1	03868749					
श्रेणी CLASS	JOURNEY CUM RESERVATION TICKET				PR से आरक्षित					
1 वाता ह. निजामुद्दीन 1 A H NIZAMUDDIN	माउगांव MADGAON		तक / RESERVED UPTO							
कोच COACH	सीट/बर्थ SEAT/BERTH	लिंग SEX	आयु AGE	यात्रा अधिकार पत्र T.AUTHORITY	रियायत CONC	आ.शु. R.FEE	स.शु. S.CH.	सु.अ. SF.CH.	वाउचर रु. VOUCH.RS.	कु.नकद रु. T.CASH.RS.
CONFIRMED		M	49			105	150		10845	
CONFIRMED		F	45			Rs. ONE ZERO EIGHT FOUR FIVE ONL				
CONFIRMED		M	9							
GOA SMPRK K EXP BOARDING H NIZAMUDDIN 28-05-2005 SCHEDULED DEP 07:25										
580 31-03-2005 16:29 MAD 2 VIA KOTA-BRO -PERN-THVM-KPMI										



No. KTC/OSD/14(1)/2005-06/05  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

Dated: 7/4/2005.

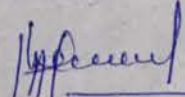
N O T E

Sub: LTC for the Block Period 2002-05.

I intend to proceed on LTC in the month of May, 2005. The details of the tour are herein below:

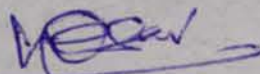
- (1) Name & Designation: Shri. Mahesh P. Kamat, Officer On Special Duty, aged 49.  
Family Members: Mrs. Roshan M. Kamat, Wife aged 44  
Master Anuj M. Kamat, Son aged 9
- (2) Place of Visit: Kashmir (Sonmarg)
- (3) Route: Madgaon to Delhi by train.  
From Delhi to Srinagar by flight.
- (4) Fare: Goa to Nizamuddin (Rs. 3,500/- per head)  
Delhi to Srinagar (Rs. 4,300/- per head)
- Total Expenditure: (a) Rail Fare - Rs. 21,000.00  
(b) Air Fare - Rs. 25,800.00
- 
- Total: Rs. 46,800.00

I declare that my wife Mrs. Roshan M. Kamat is employed as a Teacher in Loyola High School, Margao and she has not separately availed travel concession during the Block Period 2002-05. I further state that my elder son, Master Nikhil M. Kamat aged 20 years is unable to join the tour, due to his medical exams. Hence, he may travel at a future date and with respect to which, the entitlement as per eligibility will be raised accordingly. Tour advance as per the Rules of LTC may be sanctioned and given to me at the earliest, since the tickets are to be reserved well in advance. I enclose leave application for the period from 5th May, 2005 till 31st May, 2005.

  
( M. P. Kamat )  
OFFICER ON SPECIAL DUTY

Encl: Leave Application.

To,  
The Managing Director,  
K.T.C.L., Porvorim.

  
8/4/05

PD





# Kadamba Transport Corporation Ltd.

PANAJI - GOA

PTD  
GSR

## Leave Application Form For Workman / Supervisory And Clerical Staff

To, MD.  
KTCC  
Panaji - Goa.

Date 9/05/05

Dear Sir,

I request you to kindly grant me Privilege / Casual / Sick leave for 26 days from 5th May 05 to 31st May 05 /C. Off in lieu of work done on \_\_\_\_\_  
For the reason Thread Ceremony of son and Lte - tour to Kashmir.

Leave Address:

Camba - Margao.

Applicant's Signature

Full Name Kamat Mahesh

T. No./Badge No \_\_\_\_\_

Department Admn.

Designation OSD.

Certified that the applicant has \_\_\_\_\_ days PL / CL / to his / her credit as on \_\_\_\_\_  
During the current, year, this is 1st / 2nd / 3rd / 4th time he / she is seeking privilege leave.

Date : \_\_\_\_\_

Signature of the Leave Clerk

Leave Recommended / Not Recommended

Sanctioned / ~~Not Sanctioned~~

Signature of the recommending Authority

Signature of the Sanctioning Authority

Date : \_\_\_\_\_

Date 11/4

Leave as sanctioned above is posted in the Leave Register and balance of leave is \_\_\_\_\_  
\_\_\_\_\_ number of days.

Date : \_\_\_\_\_

Signature of the Leave Clerk  
of Sanctioning Authority

To Personnel Manager

### KADAMBA TRANSPORT CORPORATION LTD.

Mr. / Miss / Mrs. \_\_\_\_\_ Designation \_\_\_\_\_  
\_\_\_\_\_ department \_\_\_\_\_ is hereby informed that  
his / her request for \_\_\_\_\_ days PL / CL from \_\_\_\_\_ to \_\_\_\_\_ is  
granted / not granted.

Date : \_\_\_\_\_

Signature of Personnel Manager

L. F.

Code No. Z06481/11000





# Kadamba Transport Corporation Ltd.

PANAJI - GOA

PLC  
657

## Leave Application Form For Workman / Supervisory And Clerical Staff

To, MD.  
KTCC  
Porvorim - Goa.

Date 7/05/05

Dear Sir,

I request you to kindly grant me Privilege / Casual / Sick leave for 26 days from 5th may 05 to 31st may 05 IC. Off in lieu of work done on \_\_\_\_\_ For the reason Thread Ceremony of my and LTC - tour to Kashmir.

Leave Address Camba - Margao

[Signature]  
Applicant's Signature

Full Name Kamat Mahesh

Department Admn.

T. No./Badge No \_\_\_\_\_

Designation OSD

Certified that the applicant has \_\_\_\_\_ days PL / CL / to his / her credit as on \_\_\_\_\_ During the current, year, this is 1st / 2nd / 3rd / 4th time he / she is seeking privilege leave.

Date : \_\_\_\_\_

[Signature]  
Signature of the Leave Clerk

Leave Recommended / Not Recommended \_\_\_\_\_

Sanctioned / ~~Not Sanctioned~~ \_\_\_\_\_

Signature of the recommending Authority \_\_\_\_\_

[Signature]  
Signature of the Sanctioning Authority

Date : \_\_\_\_\_

Date 11/4

Leave as sanctioned above is posted in the Leave Register and balance of leave is \_\_\_\_\_ number of days.

Date : \_\_\_\_\_

To Personnel Manager

[Signature]  
Signature of the Leave Clerk of Sanctioning Authority

### KADAMBA TRANSPORT CORPORATION LTD.

Mr. / Miss / Mrs. \_\_\_\_\_ Designation \_\_\_\_\_ department \_\_\_\_\_

his / her request for \_\_\_\_\_ days PL / CL from \_\_\_\_\_ to \_\_\_\_\_ is granted / not granted.

Date : \_\_\_\_\_

L. F.

[Signature]  
Signature of Personnel Manager

Code No. Z06481/11000



656

No.KTC/PERS/(566)/05-06/  
Kadamba Transport Corpn.Ltd.,  
Alto Porvorim, Bardez-Goa.

Date: 26.9.2005

N O T E

Refer your Note No.KTC/OSD/14(1)/2005-06/57 dated 24.8.2005  
and to inform you to take up your grievances with the Appointing Authority  
accordingly.

( A.S. Shirvoikar )  
Personnel Officer

To,  
~~Shri M. P. Kamat,~~  
O.S.D.,  
Kadamba Transport Corpn.Ltd.,  
Alto, Porvorim-Goa.



655

NOTE

Date: 25.8.2005

Note No.KTC/OSD/14(1)/2005-06/57 dtd. 24.8.2005 received from Shri M.P. Kamat, O.S.D. is place herewith.

He says that, unless anything is heard to the contrary within 48 hrs., from the receipt of leave account with suitable reasonings and clarifications, he will presumed that we have no say to offer and except the contents of his leave statement in toto. He further says that, action in crediting the leave of 20 days of 1998 and 45 days of 2001 and 2002 is erroneous and irrational pending the finalisation of the inquiries and eventual exoncerations.

In this connection, it is submitted that his earlier note is already processed to the higher authority and awaiting decision. As per the marginal remarks of the M.D. he was supplied xerox copy of the leave card. The contention raise by the O. S.D. is not factually correct as and when in the past requested for leave balance and his leave card where shown to him. Crediting leave during suspension period were also informed when he was functioning as a Personnel Manager.

Even if the leave is credited during his suspension period it can be coorrected depending upon outcome of the enquiry and the action proposed.

Submitted:-

P.O.

D  
we.

Action taken in respect of his note under reference were ~~sent~~ the him by M/s Chinn, the concerned Clerk of my dept:

- If there is wrong part/leave is posted/credited during his suspension period, the same can be corrected once the departmental enquiry initiated against him are finished

- He has asked to reply him within 48 hours.

- He should have address his grievance to the Managing Director/Approving authority

- Submitted.

27/8/05

AM

Dr. officer as well officers are governed under CCS & conduct rules applicable to Govt servants. Acedly he being a officer has to represent his grievance before Approving Authority i.e. M.D in our corps. He may be ~~expended~~ ~~accedly~~ Submitted for

M.D R. Inram aurodigh June  
P.O.

27/8

Received  
23/9/05  
16-10

9/9/05



**MOST URGENT**

No. KTC/OSD/14(1)/2005-06/ 57  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

Dated: 24/8/2005.

654

2934

24/8/05

**N O T E**

Vide Note No. KTC/PERS/1/115/2005-06/44 dated 7/4/2005, I have been furnished with leave records from 1993 onwards.

With reference to the above, vide Note No. KTC/OSD/14(1)/2005-06/53 dated 10/8/2005, I have desired to know the basis and the authority under which, the Earned Leave being credited to my leave account and eventually reported as lapsed, which letter is not replied till date. It is my bonafide apprehension that you are refusing to reply the said Note.

It is now come to my notice that the similar treatment is given to the leave during the year 1998 from January, 1998 till August, 1998. In that connection vide my Note dated 20/3/1999 you were asked to give the statement of my leave account during the year 1997 and 1998, which is pending with the Department till date. However, during my tenure as Personnel Manager, I have confirmed that no entry was passed with respect to the said period, which is eventually done with ill intention to ensure the lapse of the leave in the account. Despite, of my Note dated 20/3/1999, you have failed to explain the said leave, hence, withholding of the leave during the period January, 1998 till August, 1998 is erroneous and entirely attributed to you.

I am now enclosing the statement of my leave account commencing from 1997. Unless anything is heard to the contrary within 48 hrs., from the receipt of this statement of this leave account with suitable reasonings and clarifications, it shall be presumed that you have no say to offer and accept the contents of my leave statement in toto. Your action in crediting the leave of 20 days of 1998 and 45 days of 2001-02 is erroneous and irrational pending the finalisation of the inquiries and eventual exonerations.

  
( M. P. Kamat )  
OFFICER ON SPECIAL DUTY

Encl: As above.

To,  
The Personnel Officer, KTCL.

Copy to:  
The Managing Director, KTCL for favour of information.

Put up  
#

Copy



652

**STATEMENT OF LEAVE**  
**MAHESH P. KAMAT, OFFICER ON SPECIAL DUTY**

YEAR	LEAVE ACCRUED	LEAVE AVAILED	BALANCE	REMARKS
1997 Opening Balance			237	
(8/9/97-12/9/97)		5	232	
2 <sup>nd</sup> Half (July – October 97)	<u>10</u>		<u>240</u>	
(November-December 97) * Suspension				* Leave withheld 5 days
31/12/97		1	239	
<b>1998 1<sup>st</sup> Half</b>				
(January – August 98) (Kept without duties & pay and marked absent) *				* Leave withheld 20 days
1/1/98 – 9/1/98		9	230	
16/1/98 – 13/2/98		29	201	
24/12/98 – 31/12/98		8	193	
2 <sup>nd</sup> Half (September – December 98)	10		203	
<b>1999 1<sup>st</sup> Half</b>	15		218	
2 <sup>nd</sup> Half	15		233	
<b>2000 1<sup>st</sup> Half</b>	15		248	
2 <sup>nd</sup> Half	15		263	
30/10/00 – 1/11/00		3 ✓	260	
<b>2001 January – February'01</b>	5		265	
(March'01 – August'02) * Suspension			265	*Leave withheld 45 days
<b>2002 September - Dec'02</b>	10		275	
23/12/02 – 28/12/02		6 ✓	269	
<b>2003 1<sup>st</sup> Half</b>	15		284	
21/5/03 – 23/5/03		3 ✓	281	
2 <sup>nd</sup> Half	15		296	
14/7/03 – 19/7/03		6 ✓	290	
27/11/03 – 29/11/03		3 ✓	287	
<b>2004 01/4/04 – 7/4/04</b>		7 ✓	280	
1/5/05 – 29/5/05		20 ✓	260	
1 <sup>st</sup> Half	15		275	
2 <sup>nd</sup> Half	15		290	
Release of Nov – Dec' 97	5		295	
<b>2005 Encashment</b>		23	272	
5/5/05 – 31/5/05		26	246	
1 <sup>st</sup> Half	15		261	
2 <sup>nd</sup> Half	15		276	



**MOST URGENT**

No. KTC/OSD/14(1)/2005-06/57  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 2120  
Date: 24/8/05

Dated: 24/8/2005.

3027  
27/8/05

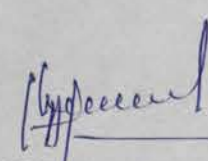
**NOTE**

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With reference to the above, vide Note No. KTC/OSD/14(1)/2005-06/53 dated 10/8/2005, I have desired to know the basis and the authority under which, the Earned Leave being credited to my leave account and eventually reported as lapsed, which letter is not replied till date. It is my bonafide apprehension that you are refusing to reply the said Note.

It is now come to my notice that the similar treatment is given to the leave during the year 1998 from January, 1998 till August, 1998. In that connection vide my Note dated 20/3/1999 you were asked to give the statement of my leave account during the year 1997 and 1998, which is pending with the Department till date. However, during my tenure as Personnel Manager, I have confirmed that no entry was passed with respect to the said period, which is eventually done with ill intention to ensure the lapse of the leave in the account. Despite, of my Note dated 20/3/1999, you have failed to explain the said leave, hence, withholding of the leave during the period January, 1998 till August, 1998 is erroneous and entirely attributed to you.

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( M. P. Kamat )  
OFFICER ON SPECIAL DUTY

Encl: As above.

To,  
The Personnel Officer, KTCL.

Copy to:  
The Managing Director, KTCL for favour of information.

P.O

26/8

26/8



651

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**MAHESH P. KAMAT, OFFICER ON SPECIAL DUTY**

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(January – August 98) (Kept without duties & pay and marked absent) *				* Leave withheld 20 days
1/1/98 – 9/1/98		9 ✓	230	
16/1/98 – 13/2/98		29 ✓	201	
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21/5/03 – 23/5/03		3 ✓	281	12/14
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14/7/03 – 19/7/03		6 ✓	290	
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<b>2005 Encashment</b>		23 ✓	272	
5/5/05 – 31/5/05		26 ✓	246	
1 <sup>st</sup> Half	15		261	
2 <sup>nd</sup> Half	15		276	



659

NOTE

Date: 22.8.2005

Reminder Note No.KTC/OSD/14(1)2005-06/56 dated 5.8.2005 received from Shri M.P. Kamat, O.S.D. is place herewith. He says that, he has represented his case for charge allowance which is not attended till date.

In this connection, it is submitted that the Note under reference is already processed in his personal file and decision is awaited.

Submitted

~~P.O.~~

S. T.  
ITAF  
In. No. 2734  
Date: 23/8/05

This representation is already processed and decision is awaited.

~~P.O.~~

~~P.O.~~

File is submitted to M.O.

~~P.O.~~  
23/8

~~P.O.~~  
26/8

Received on 22/8/05

~~P.O.~~  
Chi



658

REMINDER

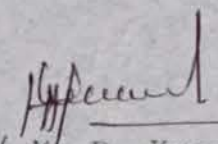
No. KTC/OSD/14(1)/2005-06/56  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.


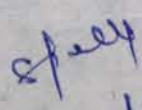

Dated: 5/8/2005.

N O T E

Sub: Charge Allowance.

This has reference to Note Nos. KTC/OSD/14(1)/2004-05/113 dated 23/2/2005 and KTC/OSD/14(1)/2005-06/11 dated 29/4/2005. Vide the said Notes, I have represented my case for Charge Allowance, which has not been attended till date. A line in reply is expected in view of the facts stated therein.

  
( M. P. Kamat. )  
OFFICER ON SPECIAL DUTY

  
To,  
The Managing Director,  
KTCL, Porvorim - Goa.  
  
pp   
Chir 

KTCL  
Financial Department  
WARD No. 2825  
19/8/05



L. I. O. No.  
Personnel Department  
WARD No. 760  
DATE: 17/01/2005

645  
650  
No. KTC/OSD/14(1)/2004-05/106  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

Dated: 17/01/2005.

N O T E

Refer to your Note No. KTC/PERS/17/2004-05/1479 dated 13/9/2004. Vide my letter No. KTC/OSD/14(1)/2004-05/45 dated 1/9/2004 addressed to the Managing Director, I have requisitioned the copies of Charge-Sheet, inquiry findings and Orders of exoneration in respect of Shri. S. V. Naik, Dy. General Manager (T) and Shri. P. A. Gaonkar, Purchase Officer. The above referred letter has been issued by you under directives, which gives me the right to address this letter to you.

As stated above, vide letter dated 13/9/2004, you have forwarded the copies of Charge-Sheet, inquiry findings and Orders of exoneration in respect of Shri. S. V. Naik, Dy. General Manager (T) and Shri. P. A. Gaonkar, Purchase Officer. On comparison of the enclosed documents, I have observed that the records are not mutually matching. Hence, for verification, I have called for the personal file of Shri. P. A. Gaonkar, Purchase Officer from your Office, in response to which, you referred for approval of Shri. P. A. Gaonkar, Purchase Officer and under his directives the file is denied to me. As stated, I have the right to seek the records from you pursuant to the letter dated 13/9/2004, but you have no right to refer the matter to Shri. P. A. Gaonkar, Purchase Officer and decide the matter as per his directives. In case of difficulty, it was fair on your part to refer the matter to the Managing Director under whose directives, letter dated 13/9/2004 had been issued to me. Needless to state that Shri. S. V. Naik, Dy. General Manager (T) and Shri. P. A. Gaonkar, Purchase Officer are the co-delinquished Officers in the inquiry presently in progress against me.

From the records in my possession, it is my apprehension that the records are altered and provided to me, which I want to verify and confirm with the originals. Hence, you are required to produce the personal files of Shri. P. A. Gaonkar, Purchase Officer and Shri. S. V. Naik, Dy. General Manager (T).

*Approved*  
( M. P. Kamat )  
Officer On Special Duty

To,  
The Personnel Officer,  
K.T.C.L., Porvorim.

Copy to:  
The Managing Director, K.T.C.L., Porvorim.

*Pl. sent to  
A  
Ch*



KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 3223  
Date: 15/10/05

No. KTC/OSD/14(1)/2005-06/55  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

Dated: 12/8/2005.

NOTE

Sir,

I have been provided the statement of my leave records from 1993 onwards by the Personnel Officer vide letter No. KTC/PERS/1/115/2005-06/44 dated 7/4/2005. On perusal of the above records, it is seen that the leave is recorded as lapsed as below:

- (1) 7 days in the year 1997
- (2) 14 days in the year 1998
- (3) 11 days in the year 2000
- (4) 9 days in the year 2002
- (5) 15 days in the year 2003 &
- (6) 12 days in the year 2003.

I was placed under suspension during October, 1997 and with respect to which 2 Charge Sheets were issued to me of which one is completed and the second one is still not completed. This suspension was during the second half of the year 1997. Again I was placed under suspension during February 2001 and subject to one more enquiry and is pending.

In the first half of 1998, I was kept in the Corporation without sitting place, without designation and without duties. The salary payable to the undersigned was withheld on arbitrary grounds, which matter had been mutually settled later on with respect to the dues on salary account. However, there exists charges of absenteeism during the said period vide Memorandum No. KTC/ADMN/1-2/97-98/205 dated 4/3/1998, the charges are at Sr. Nos. 14, 15 and 16. The Personnel Department, KTCL did not credit the leave to my account during the year 1997 and 1998, nor replied to my letter dated 20/3/1999, a copy of which is enclosed herewith. You are aware that I was the Personnel Manager of the Corporation during the period 2003-04, wherein, I have confirmed that my leave records were blank with regards to the period stated above.

Vide letter dated 7/4/2005, the records made available to me, I am surprised to find so much of leave reported as lapsed. This leave has lapsed as a result of crediting the leave, which is not due to me at this stage because the inquiry proceedings are still in progress and the outcome of the proceedings is awaited. Again there are no Orders of Exoneration from the Management and a statement to the effect that the period of suspension to be deemed as period on duty. Further, I am to bring to your notice that the other benefits arising in the said period such as increments as many as 3 1/2 and related benefits are still withheld. The leave is credited with a malafied intention to ensure that the benefit of the leave is deprived to me.

The above acts of the Personnel Officer are contrary to the Rules. The



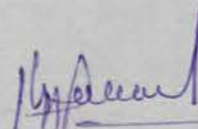
crediting of the leave during the suspension period, which is not accrued and is deemed to be accrued only subject to the outcome of the inquiry proceedings and exonerations with instructions for treating the period of suspension as to be deemed as period on duty. Actually such leave should have been credited at the time of exoneration. However, this premature credit of leave is with an intention to deprive availment of leave. This act of the Personnel Officer is contrary to the procedures and should be inquired into.

I have made it clear that as on date, I am not been exonerated with respect to inquiry ordered during 2001 and the second inquiry under first suspension during October, 1997 is still pending. The act of the Personnel Officer in such situation amounts to taking away the right of the Management to conduct the inquiries against the undersigned by crediting the leave to my account, wherein, the charges of absenteeism are very much continuing vide the Memorandums referred to above.

In view of the above, it is prayed that the leave records should be set right and inquiry and action should be initiated on the action of the Personnel Officer.

A decision in this regard may please be communicated at the earliest since I have to take a decision on availment of leave.

The present scenario had resulted out of improper and incorrect accounting of the leave by the Personnel Department before due date. From the records maintained by the Corporation, it can be seen that since the date of my joining in this Corporation in the year 1982 till 1996, there has been no occasion of lapse in my leave account.



( M. P. Kamat )  
OFFICER ON SPECIAL DUTY

Encl: As above.

To,  
The Managing Director,  
KTCL, Porvorim - Goa.



668

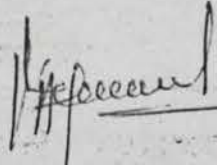
Date: 20.3.99.

**NOTE**

**Earned Leave**

I may be informed earned leave to my credit as on 31.12.98 with following details.

1. No. of days leave accumulated as on 31.12.96.
2. Addition during 1997 & 1998.
3. Leave availed during 1997 & 1998 (With specific leave periods)
4. Balance as on 31.12.98.

  
( M. P. Kamat )  
DY.F.C./S.O.

TO,  
Anant S. Shirvoikar,  
Personnel Department,  
Panjim.

*dec*  
*20/3/99*



649

**MOST URGENT**

No. KTC/OSD/14(1)/2005-06/53  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

2669  
1018105

KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 1934  
Date: 10/8/05

Dated: 10/8/2005.

**NOTE**

Vide Note No. KTC/PERS/1/115/2005-06/44 dated 7/4/2005, I have been furnished with copies of leave records from 1993 onwards.

Vide Order No. KTC/ADMN/1-2/00-01/106 dated 24/2/2001, I was placed under suspension, which suspension was revoked vide Order No. KTC/ADMN/1-2/2002-03/61 dated 27/8/2002.

On perusal of the leave records referred to above, it is seen that a total number of 47 days leave is credited and reported as lapsed during the said period.

You are informed that the disciplinary proceedings initiated against the undersigned vide Order dated 24/2/2001 are still pending and not reached to the logical conclusion till this moment. Pending disciplinary proceedings, the salary payable alongwith with the benefits is still being withheld. Further that, after my joining in August, 2002, the next increment was released one year later commencing from August, 2002. Pending the release of all the benefits, I would like to know on what basis and under which authority the Earned Leave has been credited to my account and eventually reported as lapsed.

*P.O. to a  
10/8*

*[Signature]*  
( M. P. Kamat )  
OFFICER ON SPECIAL DUTY

*Personnel Officer*  
To,  
Shri. A. S. Shirvoikar,  
Personnel Officer, KTCL.

Copy to:  
The Managing Director, KTCL, Porvorim - Goa.

*Chi*



**MOST URGENT**

(646)

No. KTC/OSD/14(1)/2005-06/53  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim – Goa.

Dated: 10/8/2005.

**NOTE**

Vide Note No. KTC/PERS/1/115/2005-06/44 dated 7/4/2005, I have been furnished with copies of leave records from 1993 onwards.

Vide Order No. KTC/ADMN/1-2/00-01/106 dated 24/2/2001, I was placed under suspension, which suspension was revoked vide Order No. KTC/ADMN/1-2/2002-03/61 dated 27/8/2002.

On perusal of the leave records referred to above, it is seen that a total number of 47 days leave is credited and reported as lapsed during the said period.

24/8/05  
24/8/05

You are informed that the disciplinary proceedings initiated against the undersigned vide Order dated 24/2/2001 are still pending and not reached to the logical conclusion till this moment. Pending disciplinary proceedings, the salary payable alongwith with the benefits is still being withheld. Further that, after my joining in August, 2002, the next increment was released one year later commencing from August, 2002. Pending the release of all the benefits, I would like to know on what basis and under which authority the Earned Leave has been credited to my account and eventually reported as lapsed.

  
( M. P. Kamat )  
OFFICER ON SPECIAL DUTY

To,  
Shri. A. S. Shirvoikar,  
Personnel Officer, KTCL.

Copy to:

The Managing Director, KTCL, Porvorim – Goa.



645


No.KTC/PERS/7/2004-05/3403-4108  
Kadamba Transport Corpn.Ltd.,  
Paraiso-De-Goa, Porvorim-Goa.

Date : 9.3.2005

O R D E R

Annual increment of the following Officers is hereby released with effect from 01.03.2005 as given below:-

Sr.No.	Name & Designation	Emp. No	Salary Drawn	Increment	Present Salary
1.	Shri Mahesh P. Kamat, O.S.D	0009	Rs.13575/-	Rs.325/-	Rs.13900/-
2.	Shri A. Carvalho, D.M.	0010	10750/-	275/-	11025/-
3.	Shri C.A.J. Pereira, D.M.	0020	10750/-	275/-	11025/-
4.	Shri T.K.Pawase, Pur. Officer	0145	10750/-	275/-	11025/-
5.	Shri Y.D. Gaude, A.F.C.	2501	8700/-	200/-	8900/-
6.	Shri V. D. Harmalkar, L.A.	0078	7075/-	175/-	7250/-

  
( A. S. Shirvoikar )  
Personnel Officer

- C C To, 1. Admn, Dept., H.O.  
2. Depot Manager, Margao Depot & Vasco Depot  
3. Purchase Dept.,  
4. Accounts Dept.,  
5. 5. Legal Dept.,  
6. Pers. file  
7. O/C.



644

No. KTC/OSD/14(1)/2005-06//  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

83)  
215105

Dated: 29/4/2005.

N O T E

Sub: Charge Allowance.

This has reference to Note No. KTC/OSD/14(1)/2004-05/113 dated 23/2/2005. Vide the said Note, I have represented my case for Charge Allowance, which has not been attended till date. A line in reply is expected in view of the facts stated therein.

*M. P. Kamat*  
( M. P. Kamat )  
OFFICER ON SPECIAL DUTY

To,  
The Managing Director,  
K.T.C.L., Porvorim - Goa.

*put up file for  
reply.*

P.D.

*[Signature]*  
245



643

No. KTC/OSD/14(1)/2004-05//3  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

Dated: 23/2/2005.

8921  
26/2/05

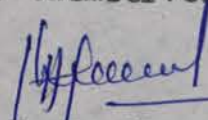
N O T E

Sub: Charge Allowance.

This is with reference to letter No. KTC/PERS/566/2004-05/3148 dated 8/12/2004, wherein, my request for Charge Allowance has been turned down in the light of provisions of FR 49 without assigning any reason. Further, it is stated that no further correspondence will be entertained on the subject. I would be obliged if I am known the reasons for disallowing the Charge Allowance. Mere citation of FR 49 is not adequate. The Personnel Officer should be directed to give the reasons for disallowing the Charge Allowance.

I draw your attention to Order No. KTC/PERS/(559)/99-2000/2054 dated 24/4/1999, where Charge Allowance is paid to Shri. T. K. Pawase, officiating as Legal Advisor and holding charge of Personnel Department during the period 6/10/1998 to 10/2/1999. Again vide letter No. KTC/PERS/(559)/2000-01/1447 dated 4/11/2000, Charge Allowance is paid to Shri. T. K. Pawase, Legal Advisor holding the charge of A.F.C. The above allowance is being paid under CCS Rules. Over and above this, Shri. V. V. S. Kunkolienkar is also paid Charge Allowance under CCS Rules for holding the charge of Dy. General Manager (Trf) and Dy. General Manager (Tech) vide Order No. 1221 dated 9/9/1998.

On the basis of Precedents and CCS Rules as above, I should be paid Charge Allowance. I hope you will consider my case for Charge Allowance. The facts above speak for themselves.

  
( M. P. Kamat )  
OFFICER ON SPECIAL DUTY

To,  
The Managing Director,  
K.T.C.L., Porvorim - Goa.

100  
25/2  
P.P.  
Advt file  
7/25/2



642

DRAFT

No.KTC/PERS/(556)/2004-2005/  
Kadamba Transport Corpn. Ltd.,  
Alto Porvorim-Goa.

Date: 2.3.2005

To,  
Shri Mahesh P. Kamat,  
O.S.D.  
Kadamba Transport Corpn.Ltd.,  
Alto Porvorim-Goa.

Sub: Charge Allowance

I am in receipt of your note dated 23.2.2005 on above cited subject. Your case is examined in detail. The case of allowing charge allowance to the Officer cited in your letter are also examined and to reiterate that you are not eligible for charge allowance under FR 49/CCS Rules.

( A. L. Desai )  
MANAGING DIRECTOR




No. KTC/PERS/(124)/98-99/1221. (189)  
Kadamba Transport Corporation Ltd.,  
Panaji - Goa.

Date:- 9.09.1998. (6/8)

O R D E R

Sanction is hereby accorded for payment of charge allowance of 10 % of his basic pay to Shri V. ~~V.S.~~ Kunkolienkar, Dy. General Manager(TRF), K.T.C.L. on account of holding additional charge of the post of Dy. General Manager(Tech) with effect from 24.12.97 as per C.C.S. Rules applicable to Officers of K.T.C.L. The charge allowances will not be taken into account for drawing other allowances viz. D.A., C.C.A. and H.R.A.

  
( P. S. REDDY )  
MANAGING DIRECTOR

To,  
The Dy. Financial Controller,  
K.T.C. Ltd., Panaji.

Copy to:-

1. Shri V.V.S. Kunkolienkar, Dy.G.M.(TRF).
2. Personal file.
3. Office copy.

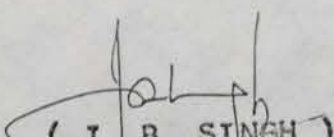


(200-11) (24/4)  
NO:KTC/PERS/(559)/99-2000/2054 (680)  
Kadamba Transport Corporation Ltd.,  
Panaji-Goa.

Dated:- 24/4/1999

O R D E R

Sanction is hereby accorded for payment of charge allowances of 10% of his basic pay to Shri T. K. Pawase, Legal Advisor, on account of holding the additional charge of legal department and Personnel Department for the period from 6/10/1998 to 10/2/1999 only as per C.C.S Rules applicable to Officer of the KTCL. The Charge allowances will not be taken into account for drawing other allowances Viz. D.A., C.C.A., and H.R.A.

  
( J. B. SINGH )  
MANAGING DIRECTOR

To,  
The Dy. Financial Controller,  
Kadamba Transport Corporation Ltd.,  
Panaji

Copy to:

1. Shri T. K. Pawase, Legal Advisor
2. Personal file
3. Office Copy.



233/c  
639  
No.KTC/PERS(559)/00-01/1447  
Kadamba Transport Corpn.Ltd.,  
Panaji-Goa.

Dated:- 4.11.2000

O R D E R

Sanction is hereby accorded for payment of charge allowance of 10% of his basic pay to Shri Tukaram K. Pawase, Asst. Financial Controller, K.T.C.L. on account of holding additional charge of the post of Asst. Financial Controller, while working as Legal Advisor with effect from 8.7.1999 to 13.3.2000 as per C.C.S. Rules applicable to Officers of K.T.C.L. The charge allowance will not be taken into account for drawing other allowances viz. D.A., C.C.A. and H.R.A.

*(Signature)*  
(V.V.S. Kunkolienkar)  
Dy. General Manager (Tech.)

To,  
Asst. Fin. Controller,  
K.T.C.Ltd.,  
Panaji-Goa.

Copy to:- Shri T.K. Pawase,

2. M.D.

Copy 3. Pers. file

OK  
4/11  
4/11



63


No.KTC/PERS/1/115/05-06/44  
Kadamba Transport Corpn.Ltd.,  
Alto, Porvorim-Goa.

Date: 7.4.2005

N O T E

I am directed to refer your Note No.KTC/OSD/14(1)/  
2005-06/03 dtd. 7.4.2005 and enclosing herewith xerox  
copies of leave record cards both earned leave and sick  
leave from 1993 onwards.

Encl: as above.

  
( A.S. SHIRVOTKAR )  
Personnel Officer

To,  
Shri M.P. Kamat,  
O.S.D.,  
K.T.C.L.,  
Alto Porvorim-Goa.

C c, 1. PPA. to M.D.  
2. O/C.

Jtd  
7/4/05



(63)

No. KTC/OSD/14(1)/2005-06/03  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

Dated: 7/4/2005.

N O T E

Please furnish the copies of my leave records, both Earned Leave and Sick Leave availed by me from the year 1993 onwards. The copies are required for the purpose of inquiry, which is fixed for hearing tomorrow morning at 11.00 hrs. Kindly treat the matter as urgent and instructions may be issued to the concerned to provide the copies of relevant leave records at the earliest.

*M. P. Kamat*  
\_\_\_\_\_  
( M. P. Kamat )  
OFFICER ON SPECIAL DUTY

To,  
The Managing Director,  
K.T.C.L., Porvorim.

*may be issued*  
*M. P. Kamat*  
\_\_\_\_\_  
2/4

~~P.O.~~  
*Chi*  
*in Del*  
*of*



MOST URGENT

Personnel Department  
WARD No. 7634  
15/1/05

(636)

KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 5600  
Date: 14/1/05

No: OMBD/2-65/DE-2/2003-04/818  
Office of Ombudsman,  
Junta House Annexe,  
4<sup>th</sup> Lift, 6<sup>th</sup> Floor,  
Panaji Goa.

Dated: 14/1/2005

To,  
The Managing Director,  
Kadamba Transport Corporation Ltd.,  
Paraiso De Goa, Alto Porvorim,  
Bardez Goa.

Sub: Departmental Enquiries against Shri. M.P. Kamat.

- Ref: (i) Case No: OMBD/2-65/DE-2/2003-04 (Charges informed vide Memorandum No: KTC/ADMN/1-2/97-98/205 dated 4/3/98)  
(ii) Case No: OMBD/2-64/DE-1/2003-04 (Charges informed vide Memorandum No: KTC/ADMN/1-2/2000-01/11 dated 11/4/2001)

Put up before  
BOD in the  
evening meeting.

Kamat  
14/1/05

Sir,

I have been appointed as Enquiring Authority in the above Departmental Enquiries against Shri. M. P. Kamat, OSD/SO of your Corporation vide Orders both dated 31/7/04 and the case files are sent to me vide letters dated 5/10/2004. Both these cases are partly heard.

2. Initially the case referred at Serial No. (i) above was allotted to Shri. A.B. Gaikwad appointing him as Enquiring Authority vide letter dated 31/3/98. As per the records, Shri. Gaikwad held the last hearing on 3/11/98 and it is not known why he returned the file. However, Shri. V.V.S.Kunkolikar, Dy. General Manager (TECH) vide his letter dated 18/3/2000, returned this file to the Personnel

P.O.



Officer, Kadamba Transport Corporation Ltd. Thereafter Shri. G.G. Kambali was appointed as Enquiring Authority in this case vide Order dated 23/3/2000, who returned the file without holding any effective hearing vide his letter dated 18/12/2000, and thereafter, I am appointed as Enquiring authority in this case. The first Enquiring Authority, Shri. Gaikwad, holding many hearings, could not go ahead then completing Examination-in-Chief of the first witness of the management and left the enquiry at the stage of continuation of Cross Examination of this witness. The Examination-in-Chief and part of Cross Examination of this witness run to about 14 pages. There are XVI Articles of Charges and 9 management witness in this case. The Charged Officer is yet to submit his list of witnesses.

3. The another case referred at Serial No.(ii) above, was allotted to Shri. N.M. Bhartia vide order dated 29/5/2001 and after holding 15 hearings he returned the file vide his letter dated 25/2/2002. There are V Article of charges and 4 witnesses of the management in this case. The list of witnesses from the Charged Officer is yet to be received and the case is pending at the stage of inspection of documents which is infact, has to be finished during second hearing, first hearing being preliminary hearing. In both these cases the records show that besides the Charged Officer is in habit of moving many miscellaneous applications, which requires orders there is also default on the part of Presenting Officers.

4. It is very clear from the above that both these cases are complicated and required sufficient time to dispose them off. I am given the time limit of six months which expires on 1/2/2005, to dispose these cases. Soon after the receipt of files on 5/10/2004, I fixed both the cases for hearing and held seven hearings in case No. (i) and six hearings in case No. (ii) referred to above. Out of seven hearings 3 times the hearings were adjourned on account of the request of the Presenting Officer including one hearing when he remained absent without any intimation. In respect of case at Sr.(ii) out of six hearings 5 times the

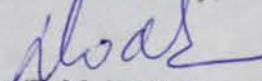


hearings were to be adjourned on the request of the Presenting Officer including one hearing when he remained absent without any intimation. I have already informed Presenting Officer as well as Charged Office that since the cases are pending for a long time, I will not mind to give priority to these cases and would take hearings on day to day basis, if convenient to both of them. Now one case is at the stage of continuation of cross examination of the first witness of the management and second is for inspection of the documents.

5. As stated above, the Charged Officer is filling miscellaneous applications which I prefer to dispose of these applications by speaking orders to avoid any allegation from Charged Officer as seen from the perusal of the records of these files. So far I have passed two speaking orders rejecting both the applications of the Charged Officer. However, this process takes time as it requires to obtain the say of the Presenting Officer and counter say of the Charged Officer <sup>and</sup> then only speaking order can be passed.

6. In view of above, it is requested that time limit for completing these enquires and submitting reports may be extended by another six months up to 31/7/2005. Please see that the extension is given before 31/1/2005 as otherwise I will not be above to continue the enquiry and hold the hearings after 31/1/2005.

Yours faithfully,



(D.M. Katkar)

OMBUDSMAN &  
ENQUIRING AUTHORITY

Copy to :

1. File No: OMBD/2-64/DE-1/2003-04



33

No.KTC/ADMN/1-1/2004-05/38

Dated: 20.12.2004

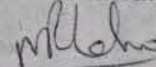
To,  
Shri D. M. Katkar,  
Ombudsman & Inquiring Authority,  
Office of the Ombudsman,  
Junta House,  
4<sup>th</sup> Lift, 6<sup>th</sup> Floor,  
Panaji-Goa.

Sir,

Please refer this office letter No. KTC/ADMN/1-1/2004-05/33 dated 16.12.2005, wherein I am directed to inform you that the date mentioned in the said letter may be read as 16.12.2004 instead of 16.12.2005.

This is issued with the approval of Managing Director.

Yours faithfully,



(M. LOBO)

P.A. to Managing Director

C.C to: Shri M. P. Kamat, OSD for information.

o/c

#  
20/12



632

No. KTC/ADMN/1-1/2004-05/37

Dated: 17.12.2004

To,  
Mrs. C. Fernandes,  
Asstt. Secretary to Ombudsman,  
Office of the Ombudsman,  
Junta House Annexe,  
4<sup>th</sup> Lift, 6<sup>th</sup> Floor,  
Panaji-Goa.

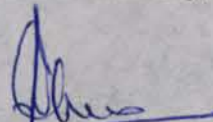
Sub: Departmental Enquiry in respect  
of Shri Mahesh P. Kamat.

Ref: Case No:- OMBD/2-65/DE-2/2003-04

Madam,

With reference to your letter No. OMBD/2-65/DE-2/2003-04/807 dated 7.12.2004, on the subject cited above, I am directed to forward herewith the copy of the notice served on C.O. and P.O. duly acknowledged with signature for your record.

Yours faithfully,



(A. S. Shirvoikar)  
Personnel Officer

Encl: As above.

Recd  
20/12/04  
MSH  
OK



631

KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 4978 ...  
Date: 7/12/04 .....

No.OMBD/2-65/DE-2/2003-04/807  
Office of Ombudsman,  
Junta House Annexe,  
4th Lift, 6th Floor,  
Panaji-Goa.  
Dated: 7/12/2004.

✓

To,  
The Managing Director,  
Kadamba Transport Corporation LTD,  
Parausac De Goa,  
Alto Porvorim, Bardez-Goa.

HO  
7112


Sub:- Departmental Enquiry in respect  
of Shri M.P. Kamat.  
Ref:- Case No.OMBD/2-65/DE-2/2003-04

sir,

P. A LMD.

I am directed to enclose herewith four copies of the notice for the hearing of the above case which is fixed on 21/12/2004 at 11.00a.m. You are requested to deliver the first and second copies to the P.O. and C.O. respectively, third copy being your copy. The acknowledgement for receipt of this notice from P.O. and C.O. may be obtained on fourth copy which may be returned to this office for placing in the file case file.

Yours faithfully,

  
( Mrs. C. Fernandes )  
Asstt. Secretary to OMBUDSMAN

Encl: As above.



30

OFFICE OF THE OMBUDSMAN, GOVERNMENT OF GOA  
JUNTA HOUSE ANNEXE,  
4<sup>TH</sup> LIFT, 6<sup>TH</sup> FLOOR,  
PANAJI GOA

CASE NO. OMBD/2-65/DE-2/2003-04

NOTICE

To,

- 1) Shri N.S. Naik,  
(Presenting Officer)  
Asstt. Depot Manager,  
Kadamba Transport Corporation Ltd.,  
Paraiso De Goa,  
Alto, Porvorim.
  
- 2) Shri Mahesh P. Kamat,  
(Charged Officer)  
OSD/SO  
Kadamba Transport Corporation Ltd.,  
Paraiso De Goa,  
Alto, Porvorim.

WHEREAS, the above case was fixed for hearing on 6/12/04 at  
3.00p.m.

✓



629

WHEREAS, the General Manager, Kadamba Transport Corporation Ltd, Alto Porvorim vide his letter dated 4/12/04 on the ground that the Presenting Officer is sent for inspection of luxury coaches at Chandigarh, requested to fix the hearing after 15/12/04;

NOW, THEREFORE, take notice that you are required to attend this hearing on 21/12/04 at 11.00a.m. in the office of the undersigned at Junta House Annexe, 4<sup>th</sup> Lift, 6<sup>th</sup> floor, Panaji Goa.

Date: 6/12/04  
Place: Panaji



(D.M.KATKAR)  
OMBUDSMAN  
&

INQUIRING AUTHORITY

✓ 1) The Managing Director, KTCL, Porvorim,

with a request that the above officers may be relieved to attend the hearing fixed on 21/12/04 at 11.00a.m. and for all subsequent hearings, dates of which may be obtained from your Presenting Officer from time to time.



No. KTC/ADMN/1-1/2004-05/36

Dated: 17.12.2004

To,  
Mrs. C. Fernandes,  
Asstt. Secretary to Ombudsman,  
Office of the Ombudsman,  
Junta House Annexe,  
4<sup>th</sup> Lift, 6<sup>th</sup> Floor,  
Panaji-Goa.

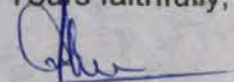
Sub: Departmental Enquiry in respect  
of Shri Mahesh P. Kamat.

Ref: Case No:- OMBD/2-64/DE-1/2003-04

Madam,

With reference to your letter No. OMBD/2-64/DE-1/2003-04/806 dated 7.12.2004, on the subject cited above, I am directed to forward herewith the copy of the notice served on C.O. and P.O. duly acknowledged with signature for your record.

Yours faithfully,

  
(A. S. Shirvoikar)  
Personnel Officer

Encl: As above.





627

KADAMBA TRANSPORT CORPORATION LTD.  
Inw: 4979  
Date: 7/12/04

No.OMBD/2-64/DE-1/2003-04/806  
Office Of Ombudsman,  
Junta House Annexe,  
4th Lift, 6th Floor,  
Panaji, Goa.  
Dated: 7/12/2004.

✓ To,

The Managing Director,  
Kadamba Transport Corporation LTD,  
Parausac De Goa,  
Alto Porvorim, Bardez-Goa.

MO  
7/12

Bub:- Departmental Enquiry in respect  
of Shri M.P. Kamat.

Ref:- Case No.OMBD/2-64/DE-1/2003-04

Sir,

I am directed to enclose herewith four copies of the notice for the hearing of the above case which is fixed on 23/12/2004 at 11.00a.m. You are requested to deliver the first and second copies to the P.O. and C.O. respectively, third copy being your copy. The acknowledgement for receipt of this notice from P.O. and C.O. may be obtained on fourth copy which may be returned to this office for placing in the case file.

P.A to M.D

Yours faithfully,

*C. Fernandes*  
( Mrs. C. Fernandes )  
Asstt. Secretary to OMBUDSMAN

Encl: As above.



OFFICE OF THE OMBUDSMAN, GOVERNMENT OF GOA  
JUNTA HOUSE ANNEXE,  
4<sup>TH</sup> LIFT, 6<sup>TH</sup> FLOOR,  
PANAJI GOA

CASE NO. OMBD/2-64/DE-1/2003-04

NOTICE

To,

1) Shri N.S. Naik,  
(Presenting Officer)  
Asstt. Depot Manager,  
Kadamba Transport Corporation Ltd.,  
Paraiso De Goa,  
Alto, Porvorim.

2) Shri Mahesh P. Kamat,  
(Charged Officer)  
OSD/SO  
Kadamba Transport Corporation Ltd.,  
Paraiso De Goa,  
Alto, Porvorim.

WHEREAS, the above case was fixed for hearing on 9/12/04 at  
11.00a.m. ;

✓

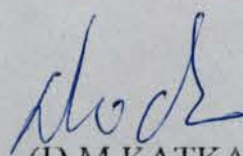


625

WHEREAS, the General Manager, Kadamba Transport Corporation Ltd, Alto Porvorim vide his letter dated 4/12/04 on the ground that the Presenting Officer is sent for inspection of luxury coaches at Chandigarh, requested to fix the hearing after 15/12/04;

NOW, THEREFORE, take notice that you are required to attend this hearing on 23/12/04 at 11.00a.m. in the office of the undersigned at Junta House Annex, 4<sup>th</sup> Lift, 6<sup>th</sup> floor, Panaji Goa. Further, the Presenting Officer is hereby directed to give the inspection of the said documents positively before 21/12/04 to the Charged Officer, if not given so far.

Date: 6/12/04  
Place: Panaji

  
(D.M. KATKAR)  
OMBUDSMAN  
&  
INQUIRING AUTHORITY

✓ 1) The Managing Director, KTCL, Porvorim,

with a request that the above officers may be relieved to attend the hearing fixed on 23/12/04 at 11.00a.m. and for all subsequent hearings, dates of which may be obtained from your Presenting Officer from time to time.



624

Inward No. ....  
Date .....  
OFFICE OF OMBUDSMAN

No. KTC/ADMN/1-1/2004-05/35

Dated: 17.12.2004

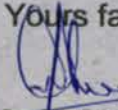
To,  
Shri D. M. Katkar,  
Ombudsman & Inquiring Authority,  
Office of the Ombudsman,  
Junta House Annexe,  
4<sup>th</sup> Lift, 6<sup>th</sup> Floor,  
Panaji-Goa.

Sub: Departmental Enquiry in respect  
of Shri Mahesh P. Kamat.  
Ref: Case No:- OMBD/2-64/DE-1/2003-04

Sir,

With reference to your letter No. OMBD/2-64/DE-1/2003-04/801 dated 25/11/2004, on the above cited subject, I am directed to forward herewith the copy of the notice served on C.O. and P.O. duly acknowledged with signature for your record.

Yours faithfully,

  
**(A. S. Shirvoikar)**  
Personnel Officer

Encl: As above.





23

KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 4794 ...  
Date: 25/11/04 .....

No.OMBD/2-64/DE-1/2003-04/801  
Office Of Ombudsman,  
Junta House Annexe,  
4<sup>th</sup> Lift, 6th Floor,  
Panaji, Goa.  
Dated: 25/11/2004

To,  
  
The Managing Director,  
Kadamba Transport Corporation LTD,  
Parausao De Goa,  
Alto Porvorim, Bardez-Goa.

Sub: - Departmental Enquiry in respect  
of Shri M.P. Kamat.

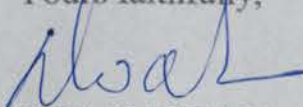
Ref: - Case No. OMBD/2-64/DE-1/2003-04

NO  
20/21

Sir,

P.A. K.M.D.

I am to enclose herewith four copies of the notice for the hearing of the above case. You are requested to deliver the first and second copies to the P.O. and C.O. respectively, third copy being your copy. The acknowledgement for receipt of this notice from P.O. and C.O. may be obtained on fourth copy which may be returned to this office for placing in the case file.

Yours faithfully,  
  
(D.M. KATKAR)  
OMBUDSMAN  
&  
Inquiring Authority

Encl: As above.



622

OFFICE OF THE OMBUDSMAN, GOVERNMENT OF GOA  
JUNTA HOUSE ANNEXE,  
4<sup>TH</sup> LIFT, 6<sup>TH</sup> FLOOR,  
PANAJI GOA

CASE NO. OMBD/2-64/DE-1/2003-04/801

NOTICE

To,

Shri N.S. Naik,  
(Presenting Officer)  
Asstt. Depot Manager,  
Kadamba Transport Corporation Ltd.,  
Paraiso De Goa,  
Alto, Porvorim.

WHEREAS, the above case was fixed for hearing on 25/10/04 at 11.00a.m. which was adjourned and fixed on 9/11/04 at 11.00a.m. at the request of the Presenting Officer;

WHEREAS, the Presenting Officer vide his letter dated 29/10/04, on the ground that he is proceeding for official work to Chandigarh, requested for adjournment, which was granted and the case was fixed for hearing on 24/11/04 at 11.00a.m., which was duly communicated to both the parties;

*h*



621

WHEREAS, the case was called out on 24/11/04 at 11.00a.m. and thereafter at 11.15a.m and both the times, the Charged Officer was present and Presenting Officer remained absent without any intimation;

WHEREAS, the Charged Officer lodged his strong objection for the absence of the Presenting Officer, and as the last opportunity, the case has been adjourned and now fixed on 9/12/04 at 11.00a.m.;

AND WHEREAS, the Charged Officer brought to the notice of the Inquiring Authority that as agreed in the last hearing, the inspection of documents for which list is already submitted, has not been given;

NOW, THEREFORE, taking into consideration that the matter is pending since long, the Presenting Officer is hereby directed to give the inspection of the said documents positively before 8/12/04 to the Charged Officer and also take notice that you are required to attend this hearing on 9/12/04 at 11.00 a.m. in the office of the undersigned at Junta House Annexe, 4<sup>th</sup> Lift, 6<sup>th</sup> floor, Panaji Goa, without fail.

Date: 24/11/04  
Place: Panaji

*D.M. Katkar*  
(D.M.KATKAR)  
OMBUDSMAN

&  
INQUIRING AUTHORITY

contd. . . . 3



Copy to:

1) Shri Mahesh P. Kamat,  
(Charged Officer)  
OSD/SO,  
Kadamba Transport Corporation Ltd.  
Parauso De Goa,  
Alto, Porvorim.

✓ 2) The Managing Director, KTCL, Porvorim.

with a request that the above officers may be relieved to attend the hearing fixed on 9/12/04 at 11.00a.m. and for all subsequent hearings. dates of which may be obtained from your Presenting Officer from time to time.



(19)

Inward No. ....  
Date .....  
OFFICE OF OMBUDSMAN

No. KTC/ADMN/1-1/2004-05/34

Dated: 17.12.2004

To,  
Shri D. M. Katkar,  
Ombudsman & Inquiring Authority,  
Office of the Ombudsman,  
Junta House Annexe,  
4<sup>th</sup> Lift, 6<sup>th</sup> Floor,  
Panaji-Goa.

Sub: Departmental Enquiry in respect  
of Shri Mahesh P. Kamat.

Ref: Case No:- OMBD/2-DE-2/2003-04

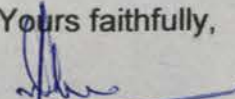
Sir,

With reference to your letter No. OMBD/2-DE-2/2003-04/799 dated 23/11/2004, on the above cited subject, I am directed to forward herewith the copy of the notice served on C.O. and P.O. duly acknowledged with signature for your record.



Encl: As above.

Yours faithfully,

  
(A. S. Shirvoikar)  
Personnel Officer

etc



KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 11750  
Date: 23/11/04

618

MOST URGENT

No.OMBD/2-DE-2/2003-04/799  
Office of Ombudsman,  
Junta House Annexe,  
4th Lift, 6th Floor,  
Panaji, Goa.  
Dated: 23/11/2004

✓  
To,  
The Managing Director,  
Kadamba Transport Corporation LTD,  
Parausac De Goa,  
Alto Porvorim, Bardez-Goa.

Sub:- Departmental Enquiry in  
respect of Shri M.P. Kamat.

Ref:- Case No.OMBD/2-DE-2/2003-04

Sir,

I am to enclose herewith four copies of the notice for the hearing of the above case. You are requested to deliver the first and second copies to the P.O. and C.O. respectively, third copy being your copy. The acknowledgement for receipt of this notice from P.O. and C.O. may be obtained on fourth copy which may be returned to this office for placing in the case file.

Yours faithfully,

*[Signature]*  
( D. M. KATKAR )  
OMBUDSMAN

&  
Inquiring Authority

Encl: As above.

10  
29/11

*[Signature]*  
24/11



672

OFFICE OF THE OMBUDSMAN, GOVERNMENT OF GOA  
JUNTA HOUSE ANNEXE,  
4<sup>TH</sup> LIFT, 6<sup>TH</sup> FLOOR,  
PANAJI GOA

CASE NO. OMBD/2-65/DE-2/2003-04

NOTICE

To,

Shri N.S. Naik,  
(Presenting Officer)  
Asstt. Depot Manager,  
Kadamba Transport Corporation Ltd.,  
Paraiso De Goa,  
Alto, Porvorim.

WHEREAS, the above case was fixed for hearing on 28/10/04 at 11.00a.m. and the same was adjourned and fixed on 22/11/04 at 11.00a.m. on the request of the Presenting Officer;

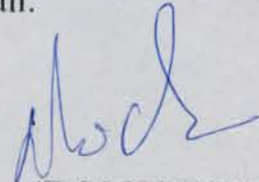
WHEREAS, the case was called out at 11.00a.m. and thereafter at 11.15a.m. on 22/11/04 and both the times the Charged Officer was present and Presenting Officer was absent without any intimation;



AND WHEREAS as a last opportunity the case has been adjourned and now fixed on 6/12/04 at 3.00 p.m.;

NOW, THEREFORE, take notice that you are required to attend this hearing on 6/12/04 at 3.00 p.m. in the office of the undersigned at Junta House Annexe, 4<sup>th</sup> Lift, 6<sup>th</sup> floor, Panaji Goa, without fail.

Date: 23/11/04  
Place: Panaji



(D.M.KATKAR)  
OMBUDSMAN

&  
INQUIRING AUTHORITY

Copy to:

1) Shri Mahesh Kamat,  
(Charged Officer)  
OSD/SO,  
Kadamba Transport Corporation Ltd.  
Parauso De Goa,  
Alto, Porvorim.

2) The Managing Director, KTCL, Porvorim,

with a request that the above officers may be relieved to attend the hearing fixed on 6/12/04 at 3.00 p.m. and for all subsequent hearings, dates of which may be obtained from your Presenting Officer from time to time.



615

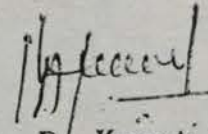
No. KTC/OSD/14(1)/2004-05/95  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

Dated: 9/12/2004.

N O T E

6863  
10/12/04

Forwarding herewith Consent Decree in Civil Suit  
No. 319/2004 for taking necessary action from your  
side as per the Consent Terms filed before the Court.

  
( M. P. Kamat )  
Officer On Special Duty


Encl: As above.

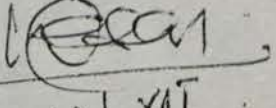
To,  
The Managing Director,  
K.T.C.L., Porvorim - Goa.

May take further  
action as required  
within a week's time  
from this date.

Per/Off

AFC AA

  
10/12/04

  
10/12/04  
Case was handed by  
Legal Dept. to  
L.A. for  
action as required. In  
terms of consent decree  
inserted therein.



614



Superintendent  
अधीक्षक

Presented on : 21.02.2000  
Registered on : 21.02.2000  
Re-registered : 12.08.2004  
Decided on : 08.11.2004  
Duration Y M D  
4 8 17

IN THE COURT OF IIND ADHOC ADDL. DISTRICT JUDGE, PANAJI.

CIVIL SUIT NO. 319/2004 (new)  
( Reg. C.S.28/00/C ) (old)

Shri. M. P. Kamat,  
Dy. Finance Controller,  
Kadamba Transport Corp. Ltd.,  
K.T.C., Bus Stand,  
P A N A J I.

... Plaintiff.

V/s

1. Chairman,  
Kadamba Transport Corp. Ltd.,  
Panaji - Goa.
2. Managing Director,  
Kadamba Transport Corp. Ltd.,  
Panaji - Goa.
3. Shri. P. S. Reddy,  
Then Managing Director,  
Kadamba Transport Corp.  
KTC., Bus Stand.
4. State of Goa through,  
Chief Secretary, Secretariat,  
Panaji - Goa.

... Defendants.

CONSENT DECREE

The Suit is for declaration and Recovery of money  
filed by the plaintiff against the defendants.

this suit arising on this day for final disposal  
before Shri. H.S. Amolkar, IInd Adhoc Addl. District,

Conti...2/-



Superintendents  
asst.

613

Judge, Panaji in the presence of Advocate Shri Bhise for the plaintiff and Advocate Shri Nimbalkar for Defendant No.2 and Def. No.1, 3 & 4 are experts. It is ordered that suit is decreed as per the consent terms filed by the parties as under:

1. The defendant no.2 shall pay to the plaintiff a sum of Rs.72,276.11 (Rupees seventy two thousand and two hundred seventy six paise eleven only). The said amount shall become payable immediately on the consent decree becoming final in this suit.
2. The Plaintiff waives his right to claim any interest on the said amount mentioned in para 1 hereinabove.
3. The plaintiff waives his right to claim the costs of this suit.
4. It is submitted by the plaintiff that he has waived his right to claim interest and costs from any of the defendants to this suit.

BILL OF COSTS

Sr. No.	Plaintiffs	Defendants
1. Stamp for the plaint	2900.00	00-00
2. Stamp for Power	2.00	3-00
3. Stamp for Exhibits	00.00	00-00
4. Process fees	11.00	00-00
5. Pleaders fees	76.11	00-00
Total	3675.11	3-00

GIVEN Under my hand and the seal of the Court



612

this 8th day of November, 2004.

<sup>h</sup>  
Superintendent  
of Police

Sd/-

( Narayan S. Amonkar )  
IInd Adhoc Addl. District Judge,  
Panaji.

Prepared by: Sd/-

Examined and found to be correct

Checked by: Sd/-

(Asst. Sheristedar)

Sd/-

Superintendent

Sd/-

(Advocate for the Applicant)

Sd/-

(Adv. for the Defendants)

Checked with original  
Sd/-  
UDC



F.R. 49. The Central Government may appoint a Government servant already holding a post in a substantive or officiating capacity to officiate, as a temporary measure, in one or more of other independent posts at one time under the Government. In such cases, his pay is regulated as follows:-

(i) where a Government servant is formally appointed to hold full charge of the duties of a higher post in the same office as his own and in the same cadre/line of promotion, in addition to his ordinary duties, he shall be allowed the pay admissible to him, if he is appointed to officiate in the higher post, unless the competent authority reduces his officiating pay under Rule 35; but no additional pay shall, however, be allowed for performing the duties of a lower post;

A (ii) where a Government servant is formally appointed to hold dual charges of two posts in the same cadre in the same office carrying identical scales of pay, no additional pay shall be admissible irrespective of the period of dual charge:

Provided that, if the Government servant is appointed to an additional post which carries a special pay, he shall be allowed such special pay;

(iii) where a Government servant is formally appointed to hold charge of another post or posts which is or are in the same office, or which, though in the same office, is or are not in the same cadre/line of promotion, he shall be allowed the pay of the higher post, or of the highest post, if he holds charge of more than two posts, in addition to ten per cent of the presumptive pay of the additional post or posts, if the additional charge is held for a period exceeding 39 days but not exceeding 3 months:

Provided that if in any particular case, it is considered necessary that the Government servant should hold charge of another post or posts for a period exceeding 3 months, the concurrence of the Ministry of Finance shall be obtained for the payment of the additional pay beyond the period of 3 months;

(iv) where an officer is formally appointed to hold full additional charge of another post, the aggregate of pay and additional pay shall in no case exceed Rs.8,000;

(v) no additional pay shall be admissible to a Government servant who is appointed to hold current charge of the routine duties of another post or posts irrespective of the duration of the additional charge;

(vi) if compensatory or sumptuary allowances are attached to one or more of the posts, the Government servant shall draw such compensatory or sumptuary allowances as the Central Government may fix:

Provided that such allowances shall not exceed the total of the compensatory and sumptuary allowances attached to all the posts.



610  
No.KTC/PERS/(566)/04-05/348  
Kadamba Transport Corpn. Ltd.,  
Alto Porvorim-Goa.

Date:- 8.12.2004

To,  
Shri M.P. Kamat,  
Officer on Special Duty,  
Kadamba Transport Corpn.Ltd.,  
Alto Porvorim-Goa.

Refer your Note No.KTC/OSD/14(1)/2004-05/68 dated 19.10.2004. Your case is fully examined in the light of provision of FR 49. You are not entitled for charge allowance and decision conveyed to you earlier vide letter under reference No.KTC/PERS/(566)/2004-2005/2151 dated 15.10.2004 stands. No further correspondence will be entertained on the subject.

*A. L. Desai*  
(A. L. Desai)  
MANAGING DIRECTOR



609

No. KTC/OSD/14(1)/2004-05/68  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

Dated: 19/10/2004.

Pe  
No. 5925  
21/10/04  
DATE

N O T E

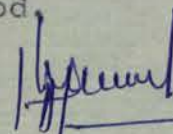
Ref; No. KTC/PERS(566)/2004-05/2151 dated 15/10/2004.

With reference to above, I submit that the concerned Department had highlighted the provisions of F.R. 49 and conveniently suppressed the circumstantial evidence on records. It is informed that even before holding the additional charge of Officer On Special Duty, which is stated as of lower rank/grade, I was holding exclusive and full-fledged charge of Officer On Special Duty. If your contention that the post of Officer On Special Duty is of lower rank/grade is true, it amounts posting a senior grade Officer to a lower grade post, which amounts to reversion and is not permissible under the Rules.

My status in the Corporation is that of Dy. Financial Controller with all allowances and perquisites and other benefits applicable to the post of Dy. Financial Controller, protected under the Transfer Order. Even when I was posted as Statistical Officer, which post is also of a lower rank/grade, exclusively for me, till such time I was occupying the post of Statistical Officer, the post was elevated to match my status in the Corporation. Judged by the same standards and to avoid the repercussions of reversion, I should not be treated as having posted to the post of a lower rank. This information might have not been brought on records while examining the provisions of F.R. 49.

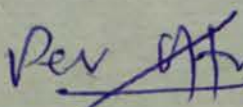
"A"

It is a matter of records that I have concurrently discharged the duties of Personnel Manager, Officer On Special Duty and that of Secretary to the Board. These functions were earlier handled through 3 different Departments, I request to reconsider my case for additional allowance during the said period.

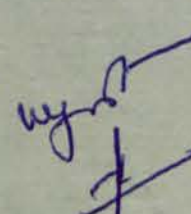
  
( M. P. Ramat )  
Officer On Special Duty

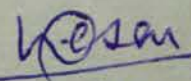
To,  
The Managing Director,  
K.T.C.L., Porvorim - Goa.

May put up with referents  
"A" above.

Per 

Cher



  
20/10



608

L.A. Resolution No. 723 passed by the Board of Directors in the 69th meeting is reproduced herebelow :

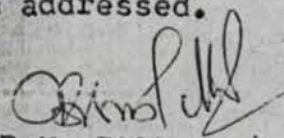
"RESOLVED THAT the proposal to apply and implement all the existing rules/regulations/notifications/orders as applicable to the Officers of the Govt. of Goa, including the future amendments and changes and new rules/regulations/notifications/orders, except those mentioned hereunder, to the officers of the Corporation drawing the pay scale of Rs.1640-2900 and above, be and is hereby approved."

- a) General Provident Fund Rules (b) Central Govt. Employees Group Insurance Scheme 1980 (c) Super Annuation Pension (d) Payment of Bonus (e) Family Pension (f) Medical Reimbursement for treatment as Out Patient.

"RESOLVED FURTHER THAT in case of any difficulty in interpreting the rules/regulations/notifications/orders, etc., for its application to the Corporation, the decision of the Managing Director shall be final."

"RESOLVED FURTHER THAT the Managing Director be and is hereby authorised to take all necessary action in the matter."

Copy of the above resolution has already been forwarded to the Personnel Manager to whom the representation seeking information on Voluntary Retirement Benefits has been addressed.

  
( R.K. Pillai. )  
Legal Advisor.  
(5.10.93)

13-M.



RESOLUTION NO. 900:

"RESOLVED THAT the Managing Director with the concurrence of the Chairman be and is hereby authorised to transfer Group 'A' and Group 'B' Officers of the Corporation to different Section/Branches."

"RESOLVED FURTHER THAT whenever Group 'A' Officer is transferred to Group 'B' post, the Group 'B' post to which the Group 'A' Officer has been transferred shall be deemed to have been upgraded to group 'A' post with effect from the date the Group 'A' Officer assumes charge and shall remain so upgraded so long as the group 'A' Officer continues on the said post."

"RESOLVED FURTHER THAT the transfer of Group 'A' and 'B' Officers already effected by the Managing Director be and is hereby ratified."

"RESOLVED FURTHER THAT the powers of the Board to take disciplinary action against Group 'A' and Group 'B' Officers be and is hereby delegated to the Managing Director subject to the condition that major punishment of demotion and dismissal/removal from the services of the Corporation shall be imposed only with the approval of the Board."

"RESOLVED FURTHER THAT the Managing Director be and is hereby authorised to take all necessary action in the matter,"

-----

*True copy*



Exh. N.D. 1

No. KTC/ADM/1-2/P9-2000/11  
Kadamba Transport Corporation Ltd., 56  
Panaji-Coa.

Date:- 8.07.1999.

O R D E R

Shri Mahesh P. Kamat, Officer attached to Porvorim Depot is hereby transferred and posted to Statistical Department as a Statistical Officer with immediate effect.

He will take charge of Statistical Department from Shri Mario J.J. Ataide, R.A. immediately.

This change in designation is purely functional and temporary without any effect on seniority or pay and allowance.

Shri Mario J.J. Ataide, R.A. will continue with his own duties which are entrusted to him.

This order comes into force with immediate effect.

*D. C. Sahoo*  
( D. C. Sahoo )  
MANAGING DIRECTOR

To,  
Shri Mahesh P. Kamat,  
Officer,  
K.T.C. Ltd.,  
Porvorim Depot.

Copy to:-

1. Shri M. J.J. Ataide, R.A. for information and necessary action.
2. The Asstt. Depot Manager, Porvorim Depot.
3. The Dy. Financial Controller, Panaji.
4. The MuzAll Sectional Heads : \_\_\_\_\_



(603)

28

To,  
P.O., AEC-Proc.

Inquiry files of Shri M.P. Kawat  
be handed over to bearer of this note  
Shri Rane.

↓  
A.M./P.O.

21/10/04



605

No. KTC/ADMN/1-1/2004-05/18

Dated: 18.10.2004

To,  
Shri D. M. Katkar,  
Ombudsman & Enquiring Authority,  
Office of the Ombudsman,  
Junta House Annexe,  
4<sup>th</sup> Lift, 6<sup>th</sup> Floor,  
Panaji-Goa.

Sub: Departmental Enquiries against Shri Mahesh P. Kamat.  
Ref: 1) Case No:- OMBD/2-64/DE-1/2003-04  
Ref: 2) Case No:- OMBD/2-65/DE-2/2003-04

Sir,

With reference to your letter No. OMBD/2-64/DE-1/2003-04/786 dated 14.10.2004, on the above cited subject, I am directed to forward herewith the copies of the notices served on C.O. and P.O. duly acknowledged with date and signature for your record.

*Handwritten notes:*  
done  
y  
21/10/04  
A/C

*Handwritten signature:*  
yours faithfully  
*Handwritten signature:*  
(A. S. Shirvoikar)  
Personnel Officer

Encl: As above.



6061

No.KTC/ADMN/1-1/2004-05/19  
Kadamba transport Corpn. Ltd.,  
Porvorim-Goa.

Dated: 19.10.2004

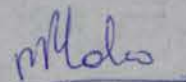
To,  
Shri N. S. Naik,  
Asst. Depot Manager/Presenting Officer,  
Central Workshop,  
Porvorim.

Sir,

Enclosed herewith please find two Enquiry Files pertaining to the enquiry in respect of Shri Mahesh P. Kamat, Officer, for further necessary action.

Kindly acknowledge the receipt.

Yours faithfully,



( M. LOBO )

P.A. to Managing Director

Encl: As above.

7C  
Receival  
~~SS~~  
21



607

URGENT

No.OMBD/2-64/DE-1/2003-04/786  
Office Of Ombudsman,  
Junta House Annexe,  
4th Lift, 6th Floor,  
Panaji,Goa.  
Dated: 14/10/2004.

✓

TO,  
The Managing Director,  
Kadamba Transport Corporation LTD,  
Parauso De Goa;  
Alto Porvorim,  
Bardez Goa.

Sub:- Departmental Enquiries against  
Shri Mahesh P. Kamat.

Ref:- 1) Case No:- OMBD/2-64/DE-1/2003-04  
2) Case No:- OMBD/2-65/DE-2/2003-04

*Maybe send K  
Atulbhatnagar's  
to IO.  
K. Katkar*

Sir,

I am to refer to your letter Numbers KTC/ADMN/1-1/2004-05/14 and KTC/ADMN/1-1/2004-05/13 both dated 5.10.04 and to enclose herewith three copies each of notices for hearing separately in both the above cases. You are requested to arrange to deliver these notices in both the cases to Shri Mahesh P. Kamat, charged officer and Shri N.S. Naik, Presenting officers. Dated signatures of the C.O. and P.O. in acknowledgement of the said notices may be obtained in both the cases on the third copies and these copies may be sent to this office for record.

*Copies of notices attached to you are also enclosed.*

Yours faithfully,

*(D. M. KATKAR)*  
OMBUDSMAN

&  
ENQUIRING AUTHORITY

Encl: As above.

Copy to:-

The file No.OMBD/2-65/DE-2/2003-04.



600

Shree copy  
For obtaining signature

OFFICE OF THE OMBUDSMAN, GOVERNMENT OF GOA,  
JUNTA HOUSE ANNEXE,  
4<sup>TH</sup> LIFT, 6<sup>TH</sup> FLOOR,  
PANAJI GOA

CASE NO. OMB3D/2-65/DE-2/2003-04

NOTICE

To,

1) Shri Mahesh P. Kamat,  
(Charged Officer),  
OSD/SO  
Kadamba Transport Corporation Ltd.,  
Paraiso De Goa,  
Alto, Porvorim.

2) Shri N.S. Naik,  
(Presenting Officer)  
Assst. Depot Manager,  
Kadamba Transport Corporation Ltd.  
Paraiso De Goa,  
Alto, Porvorim.

WHEREAS, the undersigned has been appointed as the Inquiring Authority vide Order No. KTC/ADMN/1-2/2004-05/13 dated 31.7.2004 by the Managing Director, Kadamba Transport Corporation Ltd., Porvorim, in the partly heard Departmental Inquiry case, wherein the charges are communicated to the

Approved  
18/11

18/11




Charged Officer Shri Mahesh P. Kamat, vide Memorandum No.KTC/ADMN/I-2/97-98/205 dt.4/3/1998;

AND WHEREAS, the undersigned has decided to proceed further in this inquiry from the stage left by his predecessor;

NOW, THEREFORE, take notice that the hearing of the above case is fixed on 28th October, 2004 at 11.00a.m. in the office of the undersigned at Junta House Annexe, 4<sup>th</sup> Lift, 6<sup>th</sup> floor, Panaji, Goa. You are, therefore, ~~are~~ required to attend this hearing without fail.

Date:14/10/04  
Place:Panaji

  
(D.M.KATKAR)

OMBUDSMAN

&

INQUIRING AUTHORITY

Copy to:

The Managing Director, KTCL, Porvorim.

With a request that both the above officers may be relieved to attend the hearing fixed on 28/10/04 and for all subsequent hearings dates of which may be obtained from your Presenting Officer from time to time.



598

1

OFFICE OF THE OMBUDSMAN, GOVERNMENT OF GOA,  
JUNTA HOUSE ANNEXE,  
4<sup>TH</sup> LIFT, 6<sup>TH</sup> FLOOR,  
PANAJI GOA

CASE NO. OMBD/2-64/DF-1/2003-04

NOTICE

To,

1) Shri Mahesh P. Kamat,  
(Charged Officer)  
OSD/SO  
Kadamba Transport Corporation Ltd.,  
Paraiso De Goa,  
Alto, Porvorim.

2) Shri N S. Naik,  
(Presenting Officer)  
Asstt. Depot Manager,  
Kadamba Transport Corporation Ltd.,  
Paraiso De Goa,  
Alto, Porvorim.

WHEREAS, the undersigned has been appointed as the Inquiring Authority vide Order No. KTC/ADMN/1-2/2004-05/14 dated 31.7.2004 by the Managing Director, Kadamba Transport Corporation Ltd., Porvorim to inquire into the partly heard Departmental Inquiry case, wherein charges are communicated to

*[Signature]*  
18/x

*[Signature]*  
18/x



598


2

the Charged Officer, Shri Mahesh P. Kamat, vide Memorandum  
No.KTC/ADMN/1-2/2001-2002/11 dated 11/4/2001;

AND whereas, the undersigned has decided to proceed further in this inquiry  
from the stage left by his predecessor,

NOW, THEREFORE, take notice that the hearing of this case is fixed on 25<sup>th</sup>  
October, 2004 at 11:00a.m. in the office of the undersigned at Junta House  
Annexe, 4<sup>th</sup> Lift, 6<sup>th</sup> floor, Panaji, Goa. You are, therefore, required to attend this  
hearing without fail.

Date: 14/10/04  
Place: Panaji

  
(D.M.KATKAR)  
OMBUDSMAN &  
Inquiring Authority

✓ Copy to:  
The Managing Director, KTCL, Porvorim,

With a request to relieve above officers for the aforesaid hearing and on  
all subsequent hearing dates of which may be obtained from your Presenting  
Officer from time to time.



596  
597

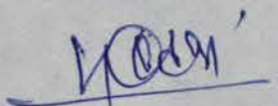
No.KTC/PERS/(566)/2004-2005/ 215  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim, Bardez-Goa.

Date: 15.10.2004

To,  
Shri Mahesh P.Kamat,  
Officer on Special Duty,  
Kadamba Transport Corporation Ltd.,  
Alto, Porvorim-Goa.

Ref: Your Note No.KTC/OSD/14/2004-2005/29  
Dated 22.7.2004

With reference to above, it is informed that, you were holding additional charge of the post of Officer on Special Duty which is lower in rank/grade than the post of Personnel Manager. Therefore you are not entitled for charge allowance as per F.R.49.



( Arun L. Desai )  
MANAGING DIRECTOR



593

No.KTC/ADMN/1-1/2004-05/13

Dated: 5.10.2004

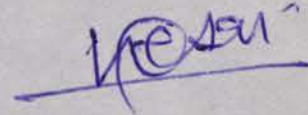
To,  
Shri D. M. Katkar,  
Omburdsman,  
Junta House, 6th Floor,  
Panaji-Goa.

Sub:Departmental Enquiry in respect of  
Shri M. P. Kamat.

Sir,

In continuation to our Order No.KTC/ADMN/1-2/2004-05/13 dated 31.7.2004, I am forwarding herewith Enquiry File in respect of Shri Mahesh P. Kamat for further necessary action.

Yours faithfully,



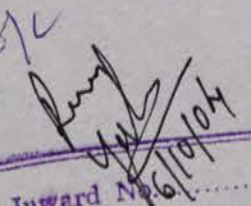
(ARUN L. DESAI)  
Managing Director

Encl: As above.

N/I - N/H i/c - 210/c

c.c to: Personnel Dept.

872



Inward No. ....
Date ....
OFFICE OF OMBUDSMAN

Se  
7/10/04



596

No.KTC/ADMN/1-1/2004-05/14

Dated: 5.10.2004

To,  
Shri D. M. Katkar,  
Omburdsman,  
Junta House,  
6<sup>th</sup> Floor,  
Panaji-Goa.

Sub: Departmental Enquiry in respect of  
Shri M. P. Kamat.

Sir,

In continuation to our Order No.KTC/ADMN/1-2/2004-05/14 dated 31.7.2004, I am forwarding herewith the Enquiry File in respect of Shri Mahesh P. Kamat for further necessary action.

Yours faithfully,



(ARUN L. DESAI)  
Managing Director

Encl: As above.

N/1 - N/2+1 1/c to 112/c  
c.c. to: Personnel Dept.

*Arjun*  
*26/10/04*

Inward No. ....
Date .....
OFFICE OF OMBUDSMAN

*se*  
*21/10/04*



595

REMINDER

No. KTC/OSD/14(1)/2004-05/60  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

Dated: 28/9/2004.

5364  
29/9/04

N O T E

Ref: No. KTC/OSD/14/2004-05/29 dated 22/7/2004.

With reference to the above, undersigned had claimed Charge Allowance for the period from 27/2/2003 to 20/7/2004. Instructions may be issued to the concerned Department to look into the same and inform me accordingly.

*[Handwritten Signature]*

( M. P. Kamat )  
Officer On Special Duty

To,  
The Managing Director,  
K.T.C.L., Porvorim - Goa.

Pls file with note under  
reference.

Kamat  
28/9

Per. Offr.

*spk*



5924

No.KTC/PERS/17/2004-2005/1429  
Kadamba Transport Corpn.Ltd.,  
Alto, Porvorim-Bardez-Goa.  
Date: 13.9.2004

NOTE

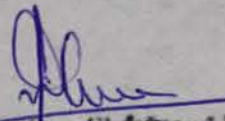
I am directed to refer your Note No.KTC/OSD/14(1)/  
2004-2005/45 dated 1.9.2004 and forwarding herewith

1. Copies of Charge-Sheets.
2. Inquiry Findings.
3. Orders of exoneration.

in respect of Shri S.V. Naik, Dy.General Manager(Tech) and  
Shri P.A. Gaonkar, Purchase Officer.

Encl: as Above.

To,  
The Officer On Special Duty,  
K.T.C.L.,  
Porvorim, Bardez-Goa.

  
( A.S. Shirvoikar )  
PERSONNEL OFFICER



593

No. KTC/OSD/14(1)/2004-05/45  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

Dated: 1/9/2004.

4116  
21/9/04

N O T E

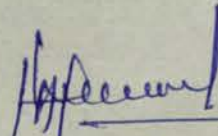
Sub: Documents for the purpose of Inquiry.

You are aware that in connection with the Inquiry instituted against me way back in the year 1998, substantial part of the allegations made against me are common and are featuring in the Charge-Sheets issued then to Shri. S. V. Naik, Dy. General Manager (Tech) and Shri. P. A. Gaonkar, Purchase Officer. In connection with the Inquiry ordered against the undersigned, I desire the following documents, which are on records and in possession of K.T.C.L.

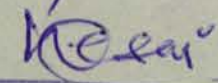
- (1) Copies of Charge-Sheets.
- (2) Inquiry Findings.
- (3) Orders of exoneration.

Above documents are desired with respect to Shri. S. V. Naik, Dy. General Manager (Tech) as well as Shri. P. A. Gaonkar, Purchase Officer with whom it is alleged that I have acted in connivance on common issues, forming part of the Charge-Sheets issued separately to the undersigned and to former Dy. General Manager (Tech) and former Purchase Officer.

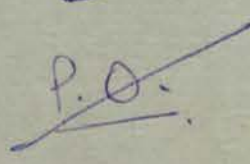
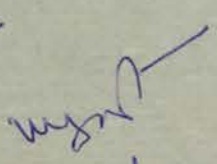
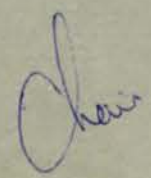
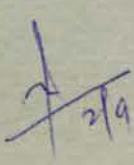
Please do the needful at the earliest.

  
( M. P. Kamat )  
Officer On Special Duty

To,  
The Managing Director,  
K.T.C.L., Porvorim - Goa.

May be issued on priority  


119.



592

59

No.KTC/ADMN/1-2/2004-05/18  
Kadamba Transport Corpn. Ltd.,  
Porvorim, Bardez-Goa.

Dated: 12.8.2004

- Read: 1. Order No.KTC/PERS/5/97-98/2042 dated 25.10.97  
2. Order KTC/PERS/5/97-98/2502 dated 17.12.97  
3. Memorandum No. KTC/PERS/4/97-98/2109 dated 3.11.97  
4. Enquiry Report dated 4.4.2003  
5. Order No.KTC/ADMN/1-2/2003-04/72 dated 20.11.03

**ORDER**

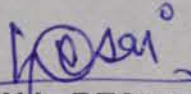
WHEREAS, Shri Mahesh P. Kamat, Statistical Officer was placed under suspension vide Order No. KTC/PERS/5/97-98/2042 dated 25.10.97 issued by the Managing Director and Disciplinary Authority and disciplinary proceedings were contemplated.

WHEREAS, the said Shri Mahesh P. Kamat, Statistical Officer was reinstated in the service vide this Office Order No. KTC/PERS/5/97-98/2502 dated 17.12.97.

AND WHEREAS, on completion of enquiry proceedings the charges framed by Memorandum of Charges No .KTC/PERS/4/97-98/2109 dated 3.11.97 and all the charges not proved vide Enquiry Officer's Report dated 4.4.2003.

AND WHEREAS, Shri Mahesh P. Kamat, Statistical Officer is exonerated of all charges framed as per Memorandum of Charges No. KTC/PERS/4/97-98/2109 dated 3.11.97 vide Order No. KTC/ADMN/1-2/2003-04/72 dated 20.11.2003 pursuant to Memo No. KTC/PERS/ENQ/2003-2004/146 dated 16.4.2003 and representation filed by him dated 5.5.2003.

NOW, THEREFORE, in terms of FR 54-B the period of suspension of Shri Mahesh P. Kamat from date of suspension till the revocation shall be treated as period spent on duty for all purposes and he shall be paid full pay and allowances for the said period of suspension subject to adjustment of subsistence allowance already paid to him.

  
(ARUN L. DESAI)  
Managing Director &  
Disciplinary Authority

To,  
Shri Mahesh P. Kamat,  
Officer on Special Duty,  
Kadamba Transport Corpn. Ltd.,  
Alto Porvorim-Goa.

- C.C. To: 1. The Asst. Financial Controller, KTCL, H.O. ....to take necessary action.  
2. Personal file.  
3. O/C.  
4. G/F.



CT 003

889  
591  
No.KTC/ADMN/1-2/2004-05/12  
Kadamba Transport Corpn. Ltd.,  
Porvorim-Goa.

Dated: 20.7.2004

2120  
24/10/04  
TRANSFER ORDER

The following transfers are hereby ordered on administrative grounds with immediate effect.

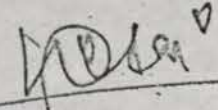
1	Shri T. K. Pawase, Asst. Controller of Stores, Central Stores, Porvorim	Purchase Officer
2	Shri S. B. Surlakar, Purchase Officer	Asst. Stores Officer C/Stores, Porvorim
3	Shri M. P. Kamat, Personnel Manager	Officer on Special Duty
4	Shri A. D. Desai, ATS, Margao	Traffic Cell, Head Office, Porvorim

Shri T. K. Pawase, ACS should move first and take the charge of Purchase Officer from Shri S. B. Surlakar with immediate effect.

Shri M. P. Kamat, Personnel Manager, stands relieved with immediate effect of the charge of Personnel Manager.

Shri A. D. Desai, ATS, Margao shall handover the charge to Shri Lavoo Chodankar, Traffic Inspector of Traffic Section Margao and report to H.O.

This order should be complied in toto by 22.7.2004.

  
(ARUN L. DESAI)  
Managing Director

To,  
1. Shri T. K. Pawase, ACS, C/Stores, Porvorim.  
2. Shri S. B. Surlakar, Purchase Officer.  
3. Shri M. P. Kamat, Personnel Manager.  
4. Shri A. D. Desai, ATS, Margao.  
5. Shri Lavoo Chodankar, TI  
C.C. to:  
All concerned.

Personnel Dept



590

Mr. / G. Desai  
Personal  
FORWARD No. 2700  
DATE 19/8/04

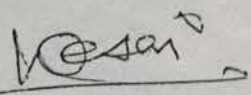
No:KTC/ADMN/1-2/2004-05/17  
Kadamba Transport Corpn. Ltd.,  
Porvorim-Goa.

Dated: 5.8.2004

ORDER

Shri M. P. Kamat, Officer on Special Duty shall discharge the secretarial function related to the Board Meeting in addition to his own duties, without any additional allowances.

2/

  
(ARUN L. DESAI)  
Managing Director

To,  
Shri M. P. Kamat,  
Officer on Special Duty,  
Kadamba Transport Corpn. Ltd.,  
Porvorim-Goa.

C.C. to: All Sectional Heads

P.O.



No.KTC/ADMN/1-2/2004-05/14

Dated: 31.7.2005

ORDER

WHEREAS, an inquiry under Rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules 1956 was being held against Shri Mahesh P. Kamat, Statistical Officer.

AND WHEREAS, the then Managing Director considered that an Inquiring Authority should be appointed to inquire into the charges framed against the said Mahesh P. Kamat, Statistical Officer.

AND WHEREAS, Shri M. N. Bhartiya, Advocate was appointed as an Inquiring Authority vide Order No.KTC/ADMN/1-2/2001-2002/42 dated 29.5.2001 to investigate into the charges levelled vide Memorandum No. KTC/ADMN/1-2/2001-2002/11 dated 11.4.2001.

AND WHEREAS, Shri Bhartiya, Advocate have returned the file after conducting the enquiry partly due to his inability to continue the enquiry.

NOW THEREFORE, I, Shri Arun L. Desai, Managing Director and Disciplinary Authority vide power vested in me by Resolution No. 900 taken in the BOD's Meeting on 12.5.1997 (90<sup>th</sup> Meeting) hereby appoint Shri D. M. Katkar, Ombudsmen, Junta House, 6<sup>th</sup> Floor, Panaji, Goa, as the Inquiring Authority to inquire into the charges framed against Shri Mahesh P. Kamat.

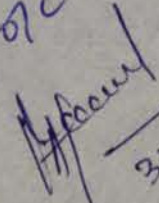
The Inquiring Authority shall submit his report to undersigned on or before 31.1.2005.

  
(ARUN L. DESAI)  
Managing Director

To,  
Shri D. M. Katkar,  
Ombudsmen,  
Junta House,  
6<sup>th</sup> Floor,  
Panaji-Goa.

C.C. to:

1. Shri M. P. Kamat, OSD/SO, Charged Officer.
2. Shri N. S. Naik, Asst. Depot Manager/Presenting Officer.

07c  
By   
31/7/05



No..KTC/ADMN/1-2/2004-05/13

Dated: 31.7.2004

O R D E R

WHEREAS, an inquiry under Rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules 1956 was being held against Shri Mahesh P. Kamat, Officer.

AND WHEREAS, the then Managing Director considered that an Inquiring Authority should be appointed to inquire into the charges framed against the said Mahesh P. Kamat, Officer.

AND WHEREAS, Shri A. M. Gaikwad was appointed as an Inquiring Authority vide Order No.KTC/ADMN/1-2/97-98/122 dated 31.3.98 to investigate into the charges levelled vide Memorandum No. KTC/ADMN/1-2/97-98/205 dated 4.3.1998.

AND WHEREAS, Shri A. M. Gaikwad have returned the file after conducting the enquiry partly due to his inability to continue the enquiry.

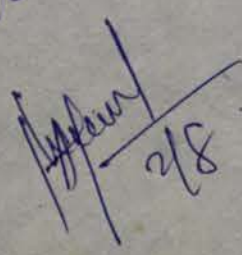
NOW THEREFORE, I, Shri Arun L. Desai, Managing Director and disciplinary Authority vide power vested in me by Resolution No. 900 taken in the BOD's Meeting on 12.5.1997 (90<sup>th</sup> Meeting) hereby appoint Shri D. M. Katkar, Ombudsmen, Junta House, 6<sup>th</sup> Floor, Panaji-Goa, as the Inquiring Authority to inquire into the charges framed against Shri Mahesh P. Kamat.

The Inquiring Authority shall submit his report to undersigned on or before 31.1.2005.

  
**(ARUN L. DESAI)**  
Managing Director

To,  
Shri D. M. Katkar,  
Omburdsmen,  
Junta House, 6<sup>th</sup> Floor,  
Panaji-Goa.

- C.C. to:
1. Shri M. P. Kamat, OSD/SO, Charged Officer.
  2. Shri N. S. Naik, Asst. Depot Manager/Presenting Officer.

8/4  
  
2/8



587

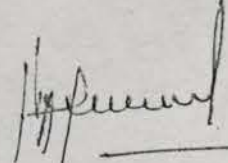
No. KTC/OSD/14/2004-05/29  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

Dated: 22/7/2004.

N O T E

- Read: (1) Order No. KTC/ADMN/1-2/02-03/118  
dated 27/2/2003.  
(2) Order No. KTC/ADMN/1-2/04-05/12  
dated 20/7/2004.
- 

With reference to the above, undersigned was holding the charge of Personnel Manager during the period from 27/2/2003 to 20/7/2004 alongwith the Office of Officer on Special Duty. I may be sanctioned Charge Allowance for holding the additional charge during the said period.



( M. P. Kamat )  
Officer on Special Duty

To,  
The Managing Director,  
K.T.C.L., Porvorim - Goa.

*MP*  
22/7/04



586

KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 1707  
Date: 20/7/04

From: Shri. M. P. Kamat,  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

Dated: 20/7/2004.

2466  
20/7/04

To,  
The Managing Director,  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

Sir,

An inquiry was instituted against me, way-back in the year 1997, which was concluded during the year 2002 and accordingly, I was exonerated from the charges. Thereafter, despite repeated requests, personal follow-ups, written letters and even putting up draft Order for signature, Subsistence Allowance payable to me after exoneration is still not being paid, despite a period of more than a year has passed since my exoneration.

May I know the reasons for non-release of my Subsistence Allowance. If any requirements are pending from me and if intimated, it will be my pleasure to give such compliance. But, to the best of my knowledge, no compliance is required from me.

Yours faithfully,

*[Signature]*

( M. P. Kamat )

May submit whether the matter approved by chairman and this is separate. If yes may please this for payment of any due & entitled.

*[Signature]*  
28/7

P.O.  
*[Signature]*

*[Signature]*



566 585

No. KTC/PERS/1-A(566)/2004-2005/ 206  
Kadamba Transport Corporation Ltd.,  
Paraiso-de-Goa.,  
Alto-Porvorim, Bardez - Goa.,

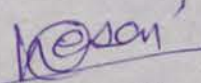
Date:- 4<sup>th</sup> May, 2004.,

**ORDER**

Read:- 1. KTC/ADMN/1-2/2003-2004/105, dt. 31.3.2004  
2. KTC/ADMN/1-2/2003-2005/01, dt. 7.4.2004.  
3. KTC/PERS/1(566)/2004-12005/46, dt. 13.4.2004.  
4. Resolution No. 14/2003.

With reference to the above, Shri M. P. Kamat, Personnel Manager is hereby allowed encashment of 23 days Privilege Leave for the period from 8/4/2004 to 30/4/2004.

Privilege Leave to the extent of encashment shall be debited to his leave account.

  
( A. L. Desai )  
MANAGING DIRECTOR

To,  
Shri M. P. Kamat,  
Personnel Manager,  
K.T.C. Ltd., Paraiso-de-Goa.,  
Alto-Porvorim, Bardez-Goa.,

Copy to:-  
1. The A.F.C., Porvorim.  
2. Pers. File.,  
3. O/C.,  
4. G/File.,

sh  
5/5





584

# Kadamba Transport Corporation Ltd. PANAJI - GOA

## Leave Application Form For Workman / Supervisory and Clerical Staff

To, MD  
ICTA  
Porvalem

Date 4/5/04

Dear Sir,

I request you to kindly grant me Privilege / Casual / Sick leave for 20 day(s) from 10-5-04 to 29-05-04 /C.Off in lieu of work done on \_\_\_\_\_

For the reasons: Personal Work

Leave Address :-

Margao - Goa.

[Signature]  
Applicant's Signature

Full Name Kanot Mahesh

T. No./Badge No. \_\_\_\_\_

Department Admin. / Personnel. Designation PM / OSD

Certified that the applicant has 28+15 days PL/CL to his/her credit as on \_\_\_\_\_  
During the current year, this is 1st / 2nd / 3rd / 4th time he / she is seeking privilege leave.

Date : \_\_\_\_\_

[Signature]  
Signature of the Leave clerk

Leave Recommended / Not Recommended \_\_\_\_\_

Sanctioned / Not Sanctioned [Signature]

Signature of the recommending Authority \_\_\_\_\_

Signature of the Sanctioning Authority \_\_\_\_\_

Date : \_\_\_\_\_

Date : 5/5

Leave as sanctioned above is posted in the leave Register and balance of leave is \_\_\_\_\_ number of days.

Date : \_\_\_\_\_

Signature of the Leave Clerk of Sanctioning Authority.

### KADAMBA TRANSPORT CORPORATION LTD.

To, **Personnel Manager**

Mr. / Miss / Mrs. \_\_\_\_\_ Designation \_\_\_\_\_

\_\_\_\_\_ department \_\_\_\_\_ is hereby informed that

his / her request for \_\_\_\_\_ days PL / CL from \_\_\_\_\_ to \_\_\_\_\_ is granted / not granted.

Date:

\_\_\_\_\_  
Signature of Personnel Manager

L. F.

Code No.: ZO6401-15000



KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 166  
Date: 14/4/04  
50

583

KTC/PERS/1(566)/2004-2005/ 46  
Kadamba Transport Corporation Ltd.,  
Paraiso-de-Goa, Alto-Porvorim,  
Bardez - Goa.,

Date:- 13<sup>th</sup> April, 2004

To,

The Managing Director,  
Kadamba Transport Corporation Ltd,  
Paraiso-de-Goa

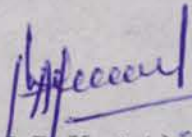
INWARD No. 3022  
KTC 15/4/2004

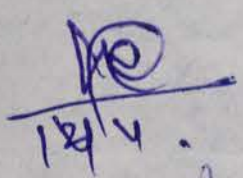
Sir,

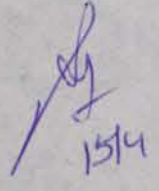
In terms of Order No. KTC/ADMN/1-2/2004-2005/01, dated 8.4.2004, undersigned resumed duties with effect from 8/4/2004. As such balance curtailed leave for the period from 8/4/2004 to 30/4/2004 may be encashed to me as per the BOD resolution.

Thanking you

Yours faithfully,

  
( M. P. Kamat )  
PERSONNEL MANAGER





SH



582

No.KTC/ADMN/1-2/2004-05/01  
Kadamba Transport Corpn. Ltd.,  
Head Office  
Paraiso De Goa,  
Alto Porvorim,  
Bardez-Goa.

Dated: 7.4.2004

Personnel Department  
No. 197  
8/4/2004

Sub: Sanction of privilege Leave.

Due to Administrative reasons, Privilege Leave sanctioned to Shri Mahesh P. Kamat, Personnel Manager vide Order No. KTC/ADMN/1-2/2003-04/105 dated 31.3.2004 for 30 days commencing from 1.4.2004 to 30.4.2004 is curtailed with effect from 7.4.2004.

He is directed to resume duties with effect from 8.4.2004 due to service exigencies.

The leave granted to Shri M. P. Kamat, Personnel Manager vide Order No. KTC/ADMN/1-2/2003-04/105 dated 31.3.2004 shall be effective from 1.4.2004 to 7.4.2004.

( ARUN L. DESAI )  
Managing Director

To, Shri M. P. Kamat,  
Personnel Manager,  
Shivneri, Comba,  
Margao-Goa.

Copy to:

- 1. The Administration Dept.
- 2. Finance Dept. H.O.
- ✓ 3. Personnel Dept.
- 4. O/C.
- 5. G/F.



Personnel Department  
No. 198  
8/4/2004

581

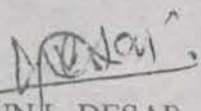
No.KTC/ADMN/1-2/2003-04/105  
Kadamba Transport Cprpn. Ltd.,  
Paraiso De Goa,  
Alto Porvorim  
Bardez-Goa.

Dated: 31.3.2004

ORDER

Sub: Sanction of Privilege Leave ..... 4/2004

Shri M. P. Kamat, Personnel Manager is hereby granted 30 days Privilege Leave  
from 1.4.2004 to 30.4.2004.

  
(ARUN L. DESAI)  
Managing Director

To,  
Shri Mahesh P. Kamat,  
Personnel Manager,  
K.T.C.L.  
Porvorim..

Copy to:

1. The Administration Dept.
2. Finance Department, H.O.
- ✓ 3. Personnel Dept.
4. O/C.
5. G/file.



566 580

No. KTC/PERS/58/2004-05/544

11/6/2004

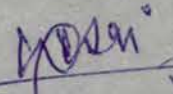
TO WHOMSOEVER IT MAY CONCERN

This is to certify that we have No Objection for granting Housing Loan to Shri. Mahesh P. Kamat, employee of this Corporation, designated as Personnel Manager & Officer On Special Duty.

This Certificate is issued at his request to enable him to produce the same to the Bank.

FOR M/S. KADAMBA TRANSPORT CORPN. LTD.

~~AD~~  
11/6.

  
( ARUN L. DESAI )  
MANAGING DIRECTOR



580

From: Shri. Mahesh P. Kamat,  
Personnel Manager & O.S.D.,  
Kadamba Transport Corpn. Ltd.,  
Alto Porvorim - Goa.

KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 978  
Date: 11/6/04

Dated: 11/6/2004.

To,  
The Managing Director,  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

*Pls put up -  
Dolan  
Alto*

Sir,  
Kindly issue me a Certificate stating No Objection  
from the Kadamba Transport Corporation Ltd., for availing  
Housing Loan. The Certificate is required for production  
with the Bank.

*P.M.*

Yours faithfully,

( M. P. Kamat )  
PERSONNEL MANAGER &  
OFFICER ON SPECIAL DUTY

*#P  
11/6.*



579

From: Shri. Mahesh P. Kamat,  
Personnel Manager & O.S.D.,  
Kadamba Transport Corpn. Ltd.,  
Alto Porvorim - Goa.

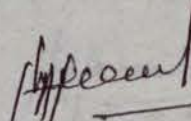
Dated: 11/6/2004.

To,  
The Managing Director,  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

Sir,

Kindly issue me a Certificate stating No Objection from the Kadamba Transport Corporation Ltd., for availing Housing Loan. The Certificate is required for production with the Bank.

Yours faithfully,

  
( M. P. Kamat )  
PERSONNEL MANAGER &  
OFFICER ON SPECIAL DUTY



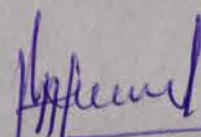
M. P. Kamat,  
Personnel Manager,  
Kadamba Transport Corpn. Ltd.,  
Panaji-Goa.

Dated: 23.4.2004

NOTE

I filed a representation before you on 3.1.2004 regarding withholding of my legitimate salary dues. I will be grateful if I am given a line of reply. I hope the matter might have remained unattended due to your busy schedule. Once again I request you to favour me with a line of reply.

Vide Order No.KTC/ADMN/1-2/2003-04/72 dated 20.11.2003 I was exonerated from all the charges levelled against me. However till date I am not paid difference in salary. On enquiry, it is learnt that the papers are marked to the Personnel Officer and not likely to be attended within 15 days hereinafter. I am financially suffering and hence I request you to look into this matter.

  
\_\_\_\_\_  
( M. P. Kamat )  
Personnel Manager

To,  
The Managing Director,  
K.T.C.Ltd.,  
Porvorim.



No. KTC/PERS/19/2004-05/187  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

577

Dated: 3/5/2004.

To,  
The Managing Director,  
Kadamba Transport Corporation Ltd.,  
Porvorim - Goa.

Sir,

Vide Note dated 23/4/2004, I had requested you to release my legitimate dues pursuant to my earlier representation dated 3/1/2004. I was under the impression that the matter might have remained unattended due to your busy schedule. But, it was not so, hence, it was an error on my part to presume so.

You have pinpointed to the cases in the Civil Courts as well as inquiries. However, in this regard, I have to state that for the Court Cases and the inquiries, the Management of K.T.C.L. is absolutely responsible. The inquiry is pending for the reasons entirely attributable to the Management of K.T.C.L. As regards to the Court Cases, I have been compelled to do so and any prudent person with integrity would have done the same thing in the same situation. Likewise, I cannot be blamed on any count for the present state of the inquiries instituted against me.

You have further stated that Hon'ble Chairman has suggested a way out passing on the responsibility for failure to comply with the same squarely on me, which is not true. The suggestions of the Hon'ble Chairman were never communicated and officially intimated to me to enable me to file my say. Even in the present Notings, you have made a mention of the "way out" without mentioning the proposed "way". As such, I cannot be blamed for failure to give response to the proposal of the Hon'ble Chairman. The discussions also does not form part of the proceedings of the relevant Meetings.

The Rules of the Corporation are uniformly applicable to all employees in the same spirit. The spirit of any Rule cannot vary from person to person nor does it vary with the person in charge of affairs of the Corporation. Certain deductions were imposed on me, which are highlighted in the representation dated 3/1/2004. However, now I find that in the similar situation, Shri. V. V. S. Kunkolienkar is admitted as eligible to draw the wages. In the interest of the parity of the Rules, I propose that pending the decision to be taken, the parity may be restored in the either of the following ways.

(a) By releasing my dues withheld on account of Second Saturdays, attending inquiries, inspection of documents, deductions from wages for late attendance, etc., etc., so that I am brought on par with Shri. V. V. S. Kunkolienkar or

(b) By disallowing Shri. V. V. S. Kunkolienkar to draw wages on similar counts so that he is brought on par with me.

OK

M.P.K.  
4/5

( M. P. Kamat )  
PERSONNEL MANAGER



576

1624  
24/6/04

No.KTC/LA/ /2004-05/100.  
Legal Department,  
Kadamba Transport Corpn.Ltd.,  
Porvorim-Goa.


Date: 24.6.2004

N O T E

Special civil suit no. 28/2000/C filed by Shri M.P.Kamat V/s Chairman KTC & ors. The suit pertaining to the claim of back wages. It is proposed now to settle the matter amicably by the management. You are therefore requested to verify the statement of unpaid salary of Mr. M.P.Kamat from January, 1998 to August, 1998. The statement of claim filed by him is enclosed herewith.

Kindly do the needful.

Xxxx

  
( V.D. Harwalkar )  
Legal Assistant

Encl: As above.

To,  
A.F.C.

*Verify & return.*  
*24/6/04*

*The enclosed unpaid statement is confirmed.  
May be returned to L.A*

*Handwritten signature*  
*26/6/04*

**K.T.C.L**  
Legal Department  
ward No. 147  
26/6/04

*AFC*  
*[Signature]*  
*26/6*  
L.A.



## STATEMENT OF UNPAID SALARY FROM JANUARY, 1998 to AUGUST, 1998

Particulars	January (3 days)	February (13 days)	March (31 days)	April (30 days)	May (31 days)	June (30 days)	July (19 days)	August (31 days)	Total
Basic	363.00 ✓	1741.00 ✓	3875.00 ✓	3875.00 ✓	3875.00 ✓	3875.00 ✓	2437.50 ✓	3875.00 ✓	23,916.50
D.A.	575.80 ✓	2763.00 ✓	5950.00 ✓	5950.00 ✓	5950.00 ✓	5950.00 ✓	3743.00 ✓	5950.00 ✓	36,831.80
H.B.A.	77.42 ✓	371.42 ✓	800.00 ✓	800.00 ✓	800.00 ✓	800.00 ✓	503.23 ✓	800.00 ✓	4,952.07
C.C.A.	1.93 ✓	9.28 ✓	20.00 ✓	20.00 ✓	20.00 ✓	20.00 ✓	12.59 ✓	20.00 ✓	123.80
Med. Allow.	40.72 ✓	195.38 ✓	425.80 ✓	425.80 ✓	425.80 ✓	425.80 ✓	267.85 ✓	425.80 ✓	2,632.95
IR II & III	-	-	-	387.50 ✓	775.00 ✓	775.00 ✓	487.50 ✓	775.00 ✓	3,200.00
IR	9.67 ✓	46.42 ✓	100.00 ✓	100.00 ✓	100.00 ✓	100.00 ✓	62.90 ✓	100.00 ✓	618.99
GROSS SALARY	1068.54 ✓	5126.50 ✓	11170.80 ✓	11558.30 ✓	11945.80 ✓	11945.80 ✓	7514.57 ✓	11945.80 ✓	72,276.11 ✓
-----									
P.F.	113.00 ✓	540.00 ✓	1179.00 ✓	1179.00 ✓	1179.00 ✓	1179.00 ✓	742.00 ✓	1179.00 ✓	7,290.00 ✓
H.B.A.	-	1650.00 ✓	1650.00 ✓	1650.00 ✓	1650.00 ✓	1650.00 ✓	1650.00 ✓	1650.00 ✓	11,550.00 ✓
Total DED	113.00 ✓	2190.00 ✓	2829.00 ✓	2829.00 ✓	2829.00 ✓	2829.00 ✓	2392.00 ✓	2829.00 ✓	18,840.00 ✓
Net pay	956.00 ✓	2937.00 ✓	8342.00 ✓	8729.00 ✓	9117.00 ✓	9117.00 ✓	5123.00 ✓	9117.00 ✓	53,436.11 ✓
-----									



No. KTC/PERS/17/2004-05/474  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

Dated: 2/6/2004.

KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 859  
Date: 2/6/04

To,  
The Managing Director,  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

Ref: (1) Representation dated 3/1/2004.  
(2) Reminder dated 23/4/2004.

Sir,

With reference to the above and pursuant to letter No. KTC/ADMN/1-1/2004-05/02 dated 26/5/2004, actually received by me on 1/6/2004 at 4.30 p.m., I write to convey my willingness to the amicable settlement offered vide letter dated 26/5/2004.

Subject to the release of my dues specified vide Representations referred to above, which is also the subject matter of the Civil Suit filed by me against the Corporation, I consent to withdraw the Civil Suit and further undertake that I shall not raise any claim against the Corporation in future, on the subject issue.

Necessary action may please be initiated on your side at the earliest.

Yours faithfully,

( M. P. Kamat )  
PERSONNEL MANAGER

K. I. C. L.  
Legal Department  
Inward No. 99  
Date: 3/6/04

In view of this representation we may ask him to file the consent term before the court which will safeguard our interest also.

Submitted.

K. I. C. L.  
Legal Department  
Inward No. 107  
Date: 5/6/04

How consent terms be filed by him directly to the court? Organise a meeting of Mr Kamat - our counsel and put up draft consent terms for approval for filing before court.

4/6  
4/6

L.A.

pls spe  
10  
2/6

L.A.

3/6



~~DFA~~

Put up with file 573  
1414 P.A.

No.KTC/ADMN/1-2/2004-05/  
Kadamba Transport Corpn. Ltd.,  
Porvorim, Bardez-Goa.

Dated: \_\_\_\_\_

- Read: 1. Order No.KTC/PERS/5/97-98/2042 dated 25.10.97  
2. Order KTC/PERS/5/97-98/2502 dated 17.12.97  
3. Memorandum No. KTC/PERS/4/97-98/2109 dated 3.11.97 ✓  
4. Enquiry Report dated dated 4.4.2003 ✓  
5. Order No.KTC/ADMN/1-2/2003-04/72 dated 20.11.03 ✓

## ORDER

WHEREAS, Shri Mahesh P. Kamat, Statistical Officer was placed under suspension vide Order No. KTC/PERS/5/97-98/2042 dated 25.10.97 issued by the Managing Director and Disciplinary Authority and disciplinary proceedings were contemplated.

WHEREAS, the said Shri Mahesh P. Kamat, Statistical Officer was reinstated in the service vide this Office Order No. KTC/PERS/5/97-98/2502 dated 17.12.97.

AND WHEREAS, on completion of enquiry proceedings the charges framed by Memorandum of Charges No. KTC/PERS/4/97-98/2109 dated 3.11.97 and all the charges not proved vide Enquiry Officer's Report dated 4.4.2003.

AND WHEREAS, Shri Mahesh P. Kamat, Statistical Officer is exonerated of all charges framed as per Memorandum of Charges No. KTC/PERS/4/97-98/2109 dated 3.11.97 vide Order No. KTC/ADMN/1-2/2003-04/72 dated 20.11.2003 pursuant to Memo No. KTC/PERS/ENQ/2003-2004/146 dated 16.4.2003 and representation filed by him dated 5.5.2003.



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NOW, THEREFORE, in terms of FR 54-B the period of suspension of Shri Mahesh P. Kamat from date of suspension till the revocation shall be treated as period spent on duty for all purposes and he shall be paid full pay and allowances for the said period of suspension subject to adjustment of subsistence allowance already paid to him.

( ARUN L. DESAI )  
Managing Director &  
Disciplinary Authority

To,  
Shri Mahesh P. Kamat,  
Officer on Special Duty,  
Kadamba Transport Corpn. Ltd.,  
Alto Porvorim-Goa.

C.C. To: 1. The Asst. Financial Controller, KTCL, H.O. ....to take necessary action.  
2. Personal file.  
3. O/C.  
4. G/F.



KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 475  
Date: 4/5/24

No. KTC/PERS/18/2004-05/187  
Kadamba Transport Corporation Ltd.,  
Alto Porvorim - Goa.

Dated: 3/5/2004.

571  
PERSONNEL DEPARTMENT  
WARD No. 204  
DATE: 5/5/2004

To,  
The Managing Director,  
Kadamba Transport Corporation Ltd.,  
Porvorim - Goa.

Sir,

Vide Note dated 23/4/2004, I had requested you to release my legitimate dues pursuant to my earlier representation dated 3/1/2004. I was under the impression that the matter might have remained unattended due to your busy schedule. But, it was not so, hence, it was an error on my part to presume so.

You have pinpointed to the cases in the Civil Courts as well as inquiries. However, in this regard, I have to state that for the Court Cases and the inquiries, the Management of K.T.C.L. is absolutely responsible. The inquiry is pending for the reasons entirely attributable to the Management of K.T.C.L. As regards to the Court Cases, I have been compelled to do so and any prudent person with integrity would have done the same thing in the same situation. Likewise, I cannot be blamed on any count for the present state of the inquiries instituted against me.

You have further stated that Hon'ble Chairman has suggested a way out passing on the responsibility for failure to comply with the same squarely on me, which is not true. The suggestions of the Hon'ble Chairman were never communicated and officially intimated to me to enable me to file my say. Even in the present Notings, you have made a mention of the "way out" without mentioning the proposed "way". As such, I cannot be blamed for failure to give response to the proposal of the Hon'ble Chairman. The discussions also does not form part of the proceedings of the relevant Meetings.

The Rules of the Corporation are uniformly applicable to all employees in the same spirit. The spirit of any Rule cannot vary from person to person nor does it vary with the person in charge of affairs of the Corporation. Certain deductions were imposed on me, which are highlighted in the representation dated 3/1/2004. However, now I find that in the similar situation, Shri. V. V. S. Kunkolienkar is admitted as eligible to draw the wages. In the interest of the parity of the Rules, I propose that pending the decision to be taken, the parity may be restored in the either of the following ways.

- (a) By releasing my dues withheld on account of Second Saturdays, attending inquiries, inspection of documents, deductions from wages for late attendance, etc., etc., so that I am brought on par with Shri. V. V. S. Kunkolienkar or
- (b) By disallowing Shri. V. V. S. Kunkolienkar to draw wages on similar counts so that he is brought on par with me.

*(Signature)*  
( M. P. Kamat )  
PERSONNEL MANAGER

File  
P.O.



**Pratapsingh M. Nimbalkar**

Advocate

570

Date:- 03.05.2004.

To,  
The Managing Director,  
Kadamba Transport Corp.Ltd.  
Porvorim, Bardez-Goa.

Ref:-Sp Civil Suit between Shri.M.P.Kamat V/s.M/s.KTCL,  
pending before The GISD, Panaji.

Sub:- Legal opinion with regards to payment of amount  
claimed by Shri.M.P.Kamat in the above Civil Suit,  
& its effect on the suit.

Sir,

With reference to the above referred suit and subject, I would like to opine that if the corporation makes any payment to Shri.M.P.Kamat - with respect to **the** claim/subject matter of the above suit, it will adversely affect the defence taken by us in the suit, as we are contesting the same. This will make our whole defence futile.

However if the corporation is of the opinion not to further contest the suit and to settle the matter with Shri.M.P.Kamat, we have to put the same in writing before the Hon'ble Court by submitting "consent terms", and accordingly make the payment.

It is advisable not to make any payment outside the Court and before submitting consent terms before the Hon'ble Court.

Thanking you,

Yours faithfully,

Offices : C/o. Adv. G. V. Tamba, 1/4, Roshan Manzil, Near National Theatre, Panaji - Goa. Phone : 425881  
Res. : 73, Gokulwadi, Behind Radha - Krishna Temple, Sanquelim - Goa. Phone : 364324. 2365212

3422439658.



Dated: 03.01.2004

589

6245  
9/11/2004

To,  
The Managing Director,  
Kadamba Transport Corporation Ltd.,  
PANAJI-GOA.

KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 4515  
Date: 3/1/04

Sir,

This representor is a member of Kadamba Parivar of which you are the father figure. I represent before you the problem that had descended from Shri P. S. Reddy and continuing unresolved till date. You are the six generation Managing Director to whom I am hopefully looking for a solution. Shri J. B. Singh, MD and Shri D. C. Sahoo, MD to whom the matter was represented shortlived this Corporation. However they maintained the Status Quo but could not take the pending issues to the finality. After that, I was compelled to raise a legal dispute due to limitations of the law. Presently the dispute is adjourned sin die and is subjudice.

pts discuss

Briefly stated as Parivar member, I had been deprived of the Parivar privilages in the form of withholding my ligitimate salary dues as below:-

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5/1/04

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1. During the period 13.01.1998 to 15.01.1998 I was not paid salary being marked absent on 13th, 14th & 15th January 1998 on the allegation that I did not reply memorandum dtd. 16.01.1998 till 21.07.1998 which was to be replied within 48 hrs. The truth is that memorandum dtd. 16.01.1998 was replied on the same day at 17.25 hrs. in less than 6 hrs. time. Further it is ridiculous to treat me absent for not replying to the memorandum. In the writ reply Mr. Reddy himself admitted my attendance on 13th, 14th & 15th January '98.
2. During the period 16.03.1998 till 24.06.1998 salary is not paid to me on account of deemed absentism. It is clarified that at the relevant point of time I was Dy. Finance Controller and for all practical purposes as the Finance Controller of the Corporation and holding the organisational position only next to Managing Director. I was deprived of a proper and befitting sitting arrangement without designation, without work, without any department, without any staff assigned. I

Mem.

.....2/-



was compelled to file writ petition before the High Court for a legal remedy and succeeded in getting a proper sitting place on 22.06.1998 involving an avoidable expenditure of Rs.25,000/- towards legal costs. I succeeded in the writ and the management was compelled to provide me with a cabin. During this period I have reported the Head Office on day-to-day basis and filed monthly attendance to the Office of O.S.D. and Personnel Officer, which has been duly accepted and acknowledged by the concerned departments.

3. During the period 25.06.1998 to 24.07.1998 I am not paid salary for 18½ days for the reason "not performed any work". As stated above, from January 1998 till July 1998 I was assigned no work. Hence the question of no work no pay does not arise at all. Further there is no rule in the Corporation of its own or under CCS stipulating 'no work no pay'.

The period of 18½ days includes a second saturday which I am deprived of availing due to the fact that the Depot Manager's are not eligible for a holiday on second saturday. At the first instance by virtue of privilages of Dy. Finance Controller withholding second saturday does not arise. On second count even presuming Depot Manager's not eligible for availing holiday on second saturday, they were paid salary having availed second saturday. This practice exists even today under your authority.

You are also informed that certain function of TI/TC/ATI/ATC were assigned to me on 14.07.1998 to be completed by 15.08.1998 which I had duly replied that they were not my responsibility. Further that during the relevant period I was without any designation. There is no post in the Corporation in any department designated "Officer" to which anyone can be transfered or assigned any functions and further that when I was sitting in the depot I was independent of the depot manager and not a part of Depot.



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Directors changing Shri J. B. Singh, MD, restored Status Quo paying me full salary and this was maintained by Shri D. C. Sahoo, MD. This establishes a clear act of revenge by Shri P. S. Reddy whom I consider as born by error in this Parivar. This was very unfortunate for this Parivar which has been proved by events that followed and remained unresolved till date.

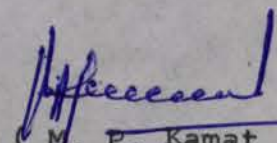
You have stated again and again that the winners do not do different things but do the things differently. Like any other member of this Parivar, I look forward upon you to dispose off this problem in different manner and give justice to me which is overdue to this date of sixth generation of Managing Director. At present dispute is before law and had cost me Rs.4,000/- towards Court fees and Rs.15,000/- as Advocate fees, once again an avoidable expenditure incurred by me.

If you feel that I have been illegitimately deprived of legitimate parivar privileges <sup>and incurred avoidable</sup> costs, I hopefully look upon you to solve this problem which I consider as ancestral problem of this Parivar.

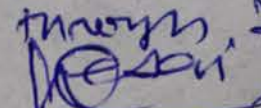
If desired, I shall produce all documentary evidences referred to by me as above in support of my claim.

Thanking you,

Yours faithfully,

  
M. P. Kamat )  
OFFICER ON SPECIAL DUTY

Discussed. May put up latest positions of me civil suits pending and also order/affidavits of writ Petitions / replies of corp. etc. on file for taking suitable decision. file may be put to me through Gm directly.

  
17/11/04.

P.D.



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4. During the period 25.07.1998 to 24.08.1998 I am not paid salary for 18 days, the break-up of which is as under:-

- a) One day of second saturday.
- b) 3½ days for attending the enquiry.
- c) 3½ days for inspection of the documents.
- d) 4 days of deductions arising of depot office timings.
- e) 6 days Sick Leave, insisting Medical Certificate from G.M.C.

It is established beyond doubt that:-

- a) All Officers are eligible for second saturday.
- b) The Charge Sheeted Officers/Workmen are paid for attending enquiry.
- c) The Charge Sheeted Officers are paid for inspection of documents during enquiry proceedings.
- d) Officers are paid Sick Leave on basis of private medical certificate.

The illegitimate deductions judged by Depot timings are otherwise also not applicable to me because of my status as Dy. Finance Controller. The provision of sitting place at Porvorim was only for the convenience of management with which I had nothing to do. I also intend to bring on record to your knowledge that with the situations during the period 25.06.1998 to 24.07.1998 and 25.07.1998 to 24.08.1998 being unchanged and under the same Managing Director, Shri P. S. Reddy, the principle of "no work no pay" invoked during July 1998 was not invoked during August 1998. Likewise deductions on account of depot timings imposed during August 1998 were not imposed during July 1998. Likewise deductions for attending enquiry, inspection of documents imposed during August 1998 were not imposed during July 1998. The next generation of Managing Directors were as below:-

1. Shri P. S. Reddy from 13.01.1998 to 10.09.1998.
2. Shri J. B. Singh From 10.09.1998 to 14.06.1999.
3. Shri D. C. Sahoo from 14.06.1999 to 08.07.1999.

The prevailing situation being unchanged during the period 13.01.1998 till 08.07.1999 on which date this representor was brought back to the Head Office, with only Managing



From:-

Shri Mahesh P. Kamat,  
Statistical Officer,  
Kadamba Transport Corp.Ltd.,  
Panaji-Goa.

Dated:- 05-5-2003.

To,  
The Managing Director,  
(Disciplinary Authority)  
Kadamba Transport Corp.Ltd.,  
Panaji-Goa.

564  
3042  
25/8/2003

Sub:-Enquiry Officers report in respect of  
— memo of charges.

Ref:-Memorandum No.KTC/PERS/ENQ/2003-04/146,  
dated 16.4.2003.

Sir,

I hereby acknowledge the receipt of copy of enquiry report, containing 67 pages alongwith the memorandum no.KTC/PERS/ENQ/2003-04/146, dated 16.4.2003.

2. The entire charge sheet and allegations contained therein proved to be cryptic, clandestinely done with an intention to harrass, humiliate, and with an ulterior motive perhaps to dislodge me from my substantial post of the Dy. Financial Controller.

3. Findings of the Enquiry Officer are crystal clear that, non of the charges from charge no.1 to charge no.6 are proved against me. This vindicated my stand in my written statement that memorandum of charges purported to be issued to me as ab-initio misconceived on facts and meant to victimise me in the colourable exercise of the power with an ulterior motive.

4. I therefore, have nothing to represent against the report of the Enquiry Officer and suggest that the findings of the Enquiry Officer should be accepted and I should be exonerated from all the charges which do not concern me at all in my personal capacity or in the official capacity as Dy.Financial Controller/Statistical Officer and events reported in the charge sheet which have occured during the period when I was on the sanctioned leave, with respect to which proper leave sanctioned orders had been issued to me and leave availed is debited to my leave account or the

on file -  
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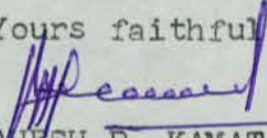
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events which had occurred before my taking over the charge of the Statistical Officer and the head of that department as Statistical Officer or the events which had occurred after my suspension from the Statistical Department as Statistical Officer.

Yours faithfully,

  
\_\_\_\_\_  
(MAHESH P. KAMAT )  
STATISTICAL OFFICER



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No.KTC/PERS/Eng/2003-2004/146  
Kadamba Transport Corpn. Ltd.,  
Panaji-Goa.

Dated: 16.4.2003


MEMORANDUM

WHEREAS, Disciplinary Proceedings were initiated against Shri Mahesh P. Kamat, Statistical Officer of Kadamba Transport Corporation Ltd.

AND WHEREAS Shri G. G. Khabli was appointed as Enquiry Officer to conduct the enquiry in respect of Memorandum of charges No.KTC/PERS/4/97-98/2109 dated 3.11.1997.

AND WHEREAS Enquiry Officer had submitted his report dated 4.4.2003.

AND NOW THEREFORE, a copy of the said report is forwarded herewith to Shri Mahesh P. Kamat, Statistical Officer for his representation if any to be made within 15 days of receipt of this Memorandum to take suitable decision in the matter.

  
( Arun L. Desai )  
Managing Director  
Kadamba Transport Corpn. Ltd.,  
Disciplinary Authority

Encl: As above.

To,  
Shri Mahesh P. Kamat,  
Statistical Officer,  
Kadamba Transport Corpn. Ltd.,  
Panaji-Goa.



Enquiry file w/ more report which were  
recd by Pers. Dept were called by  
PM and further course of action has been  
completed by him personally and memo dt 16.4.03  
was sent to Pers. Dept for perusal & despatch  
and enquiry file along with  
enquiry report was returned by him.

19/4/03



No. KTC/ADMN/1-2/2003-04/72  
Kadamba Transport Corpn. Ltd.,  
Panaji-Goa.

Dated: 20.11.2003

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O R D E R

WHEREAS, disciplinary proceedings were initiated against Shri M. P. Kamat, Statistical Officer under Rule 14 of CCS (CCA) Rules 1965 vide Memorandum No. KTC/PERS/4/97-98/2109 dated 03.11.1997.

AND WHEREAS, Shri Kamat has denied all the charges framed against him vide Article of Charges.

AND WHEREAS, the Disciplinary Authority ordered enquiry in the matter appointing Shri G. G. Kambli, Senior Grade Officer of Goa Civil Services as Enquiry Officer.


AND WHEREAS, the Enquiry Officer has submitted his report dated 4th April 2003 with the findings that all the charges against Shri Kamat are not proved.

AND WHEREAS, copy of the enquiry report as required under CCS Rules was submitted to Shri Kamat for his representation and Shri Kamat vide his representation dated 5.5.2003 has submitted that the enquiry report may be accepted.

AND WHEREAS, the Disciplinary Authority on going through the memorandum of charges, enquiry report and evidence on record and circumstantial evidences has arrived at a conclusion to accept the findings of the Enquiry Officer.

NOW THEREFORE, I, Shri Arun L. Desai, Managing Director, in exercise of powers vested in me vide Resolution No. 900 of 90th BOD Meeting held on 12.5.97 hereby exonerate Shri M. P. Kamat, Statistical Officer from all the charges framed against him vide Memorandum No. KTC/PERS/4/97-98/2109 dated 03.11.1997.

Given under my hand and seal of this office on this twentieth day of November, two thousand three.

  
( Arun L. Desai )  
Managing Director

To,  
Shri M. P. Kamat,  
Personnel Manager,  
K.T.C. Ltd., Panaji.

C.C. to: 1. Personnel Deptt.  
2. A.F.C.



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IN THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST SHRI.  
MAHESH P. KAMAT, STATISTICAL OFFICER, KADAMBA TRANSPORT  
CORPORATION LIMITED, PANAJI.

1. Name & Designation of the Charged Official : Shri. Mahesh P. Kamat,  
Statistical Officer,  
Kadamba Transport Corporation Ltd.
2. Name & Designation of the Defence Assistant : Shri. D. S. Bhise, Advocate
3. Name & Designation of the Presenting Officer : Shri. A. S. Shirvoikar,  
Personnel Officer,  
Kadamba Transport Corporation Ltd.

INTRODUCTION

1. The Managing Director of Kadamba Transport Corporation vide Memorandum No.KTC/PERS/4/97/-98/2109 dated 03.11.1997 initiated disciplinary proceedings against Shri. Mahesh P. Kamat, Statistical Officer of Kadamba Transport Corporation Limited. Initially, vide Order No. KTC/PERS/ENQ/97-98/2579 dated 30.12.1997, Shri. R. K. Pillai, Legal Advisor to the Kadamba Transport Corporation Limited was appointed as the Inquiring Authority. Thereafter, I was appointed as the Inquiring Authority vide letter No. KTC/ADMN/1-1/98-99/113 dated 27.11.1998.

2. The Memorandum of Charge was accompanied by statement of article of charges framed against Shri. Mahesh P. Kamat. As can be seen from the said statement of article of charges, the following charges were levelled against the Charged Officer: -

- (1) That the Charged Officer while functioning as Deputy Finance Controller during the period from 24.03.1990 to 06.12.1996 involved and/or engaged directly or indirectly in private trade/business and acquired or disposed off movable property



without prior approval of the Departmental Head. The Charged Officer booked 5 Maruti cars with M/s. Chowgule Industries Ltd., Panaji from February, 1996 to October, 1996 and 8 Maruti cars from March, 1994 to August, 1996 with M/s. Sai Service Station Limited, Porvorim.

- (2) That the Charged Officer while functioning as Statistical Officer from 07.11.1996 to 25.10.1997 was found very irregular in attendance and that on 25.10.1997, the Charged Officer did not attend the Office till 10.15 A.M., though in the past, he was warned for reporting duty late.
- (3) That the Charged Officer while functioning as Statistical Officer for the period from 07.11.1996 to 25.10.1997 failed to keep proper control on the staff working under him, in respect of regular attendance and punctuality. He also failed to check the Muster Roll promptly on day-to-day basis of the staff under him, thereby resulting in total failure to keep bonafide attendance of the staff.
- (4) That the Charged Officer failed to conduct domestic inquiries entrusted to him by giving frivolous reasons.
- (5) That the Charged Officer failed to discharge his duties to update the Statistical Boards placed in the Chambers of Managing Director and Vice-chairperson.
- (6) That the Charged Officer failed to furnish the reports to Central Government and State Government.

*[Handwritten signature]*



3. The Charged Officer was directed to submit within 7 days a written statement of his defence. Accordingly, Charged Officer submitted his written statement of defence on 11-11-1997. In his written statement of defence, the Charged Officer submitted that the Memorandum of charges purported to be issued was ab-initio misconceived on facts and unsustainable in law, viz-a-viz. the Suspension Order. He also alleged that the proposed inquiry was meant to victimise him in the colourable exercise of the power with an ulterior motive and for the reasons best known to the concerned officials of the Corporation.

4. As regards the first article of charge, the Charged Officer denied of having involved and/or engaged himself directly or indirectly in private trade/business and acquired or disposed off movable property without prior approval of the Departmental Head. He submitted that he brought to the notice of the Managing Director in the notings about the illegalities committed by the concerned responsible officers of the Corporation, in respect of the body building contract with M/s. Starline Motor Industries Pvt. Ltd., Belgaum.

5. Regarding the second article of charge, the Charged Officer submitted that the same is manifestly false, frivolous and misconceived on facts, apart from it being vague on the face of it. He denied of having attended the Office late and also specifically on 25.10.1997. He submitted that he was late only once during the month of September, 1997 on account of earth slide at Verna due to natural heavy rains.

6. As regards the third article of charge, the Charged Officer has denied the same and submitted that it is his predecessors and the Office of the Managing Director that have to take timely action against the staff working in

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the Statistical Section and not the Charged Officer, as the Charged Officer had brought to the notice of the Managing Director from time to time.

7. The Charged Officer strongly denied the fourth article of charge that he failed to conduct domestic inquiries entrusted to him by giving frivolous reasons. In this context, the Charged Officer submitted that he was never entrusted with domestic inquiries during his 14 years of service and that 5 inquiries were entrusted to him after his transfer as Statistical Officer. The Charged Officer also submitted that he brought to the notice of the Management at the relevant time that he was not acquainted with the legal knowledge and the procedure to be followed in such domestic inquiries. He also pointed out in his statement that the domestic inquiries which were entrusted to him were already pending at the time of his suspension and pursuant to his suspension, he handed over the charge including the pending domestic inquiries to Shri. S. H. Bhat. He submitted that the delay could not be attributed to him but to the concerned Department, including the Office of the Managing Director, as evident from the exchange of correspondences by the Charged Officer to the Department and Office of the Managing Director.

8. As regards the fifth article of charge, the Charged Officer submitted that the Boards in the Chambers of the Managing Director and the Vice-chairperson are updated as and when data is received by the Statistical Section. Any delay in updating the Statistical Boards is entirely due to delay in receipt of input data from the concerned Unit Head and as such, the delay is directly attributable to the concerned Unit Head. He denied this charge also.

9. Regarding the last i.e. sixth article of charge, the Charged Officer denied that it is his duty to submit the reports to the Central Government and



the State Government. He submitted that such reports are required to be sent by the Office of the Managing Director. He admitted that the Statistical reports are to be prepared by the Statistical Section but they are subject to necessary information and data to be furnished by the concerned Sections from time to time. The concerned Heads were not furnishing the information timely. The Charged Officer denied this charge also.

### ANALYSIS

10. The Management examined 4 witnesses in support of all the article of charges. The Management did not examine the witness No. 4, namely Shri. Budho Gawade of the list of witnesses. The Charged Officer also examined 4 witnesses. Both, the Management as well as the Charged Officer produced various documents in support of their respective cases. I will discuss them in detail hereinafter.

11. The Management has produced the documents Exhibit A-1 (colly) consisting of 2 letters issued by M/s. Sai Station Services Ltd. dated. 5.5.1997 and M/s. Chowgule Industries Ltd. dated. 5.4.1997. In the letter dated 5.5.1997, which was issued in response to the letter, dated. 28.4.1997, it was informed that 8 vehicles were booked by Shri. Mahesh P. Kamat for the period from January, 1994 to 31.3.1997. The General Manager of M/s. Chowgule Industries Ltd. vide his letter dated. 5.4.1997, which, was issued in reply to the letter dated. 2.4.1997 had informed that 5 vehicles were booked in the name of Shri. Mahesh P. Kamat. They have also informed that all these vehicles were delivered to the Consumer. Vide letter dated. 15.1.1998, the General Manager of M/s. Chowgule Industries Ltd. forwarded the copies of documents pertaining to the booking forms of the vehicles booked in the name of Shri. Mahesh P. Kamat in reply to the Management's letter dated

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11.12.1997. These documents are Order Booking Forms dated 12.10.1996 in the name of Shri. Mahesh P. Kamat, Comba, Margao-Goa. The other Order Booking Form is dated 14-6-1996 and the same is in the name of Shri. Mahesh P. Kamat, Comba, Margao-Goa. The Order Booking Form dated 8.2.1996 is in the name of Shri. Kamat Mahesh P. with official address "C/o KTC, Panaji-Goa and residential address as "Flat No. F/2 "SHIVNERI", Comba, Margao-Goa". The Order Booking Form dated 12.11.1996 in the name of Shri. Mahesh Kamat, New Market, Margao-Goa and Order Booking Form dated 5.9.1996 in the name of Shri. Mahesh P. Kamat, Panaji-Goa. Letter dated 17.1.1998 from M/s. Sai Station Services Ltd., which was issued in response to the letter dated 17.1.1998 of the Managing Director. By this letter, M/s. Sai Station Services Ltd. has sent a xerox copy of the Driving License of Shri. Mahesh P. Kamat and documents related to bookings made on 21.12.1995, 13.3.1996 and 10.8.1994. The Invoice dated 21.12.1995 is in the name of Shri. Mahesh Kamat, Maina, Curtorim, Salcete-Goa. The Docket dated 13-3-1996 gives the details of customer as Shri. Mahesh Kamat, Panaji-Goa. The so-called undated letter from Shri. Mahesh Kamat, Panaji-Goa addressed to the Sales Manager of M/s. Sai Station Services Ltd. requesting to cancel the booking of the car which was made on 13.3.1996 under Docket No. GOS 20223 dated 13.3.1996, Docket in respect of booking of car dated 4.4.1995 in the name of Shri. Mahesh P. Kamat, Maina, Curtorim, Salcete-Goa, xerox copy of the Driving License of Shri. Mahesh P. Kamat.

12. As regards the second article of charge, the Management in support thereof has produced the Memorandum dated 26.8.1997 (Exhibit A-3). In terms of the said Memorandum, attention was drawn of the Charged Officer that he did not report the Office on 26.8.1997 till 10.30 hours and he was

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directed to explain in writing as to why action should not be initiated against him. Exhibit A-4 is the Warning dated. 28.8.1997 issued to the Charged Officer by the Managing Director wherein he was informed that his explanation dated 26.8.1997 was found far from satisfactory and, therefore, he was warned to be more punctual in duties, failing which, action will be taken against him. Exhibit A-5 is another Memo dated 25.10.1997 issued to the Charged Officer by the Managing Director stating that inspite of warnings for coming late for duties on several occasions, the Charged Officer did not attend Office on 25.10.1997 till 10.15 hours. Hence, he was directed to explain as to why disciplinary action should not be taken against him for his misconduct and he was asked to submit his reply within 24 hours. Exhibit A-6 is the Circular dated 22.8.1995 issued by the Managing Director regarding the punctuality in attendance by the Officers/ supervisory staff as well as other staff. In the said Circular, it was pointed out that some of the supervisory staff are not reporting the Office in time and, therefore, they were asked to be punctual in attendance and any lapses will be viewed seriously.

13. In support of the third article of charge, the Management has produced the Memo dated 26.8.1997 (Exhibit A-7) issued to Shri. Anil P. Naik, CLDC, wherein it was pointed out that Shri. Anil Naik of Statistical Section did not report for duties till 10.30 hours on 26.8.1997. Hence, he was directed to explain within 3 days as to why necessary action should not be taken against him for late coming. Exhibit A-8 is another Memo dated 26.8.1997 issued to Shri. Budho Gawade, CLDC, attached to the Statistical Section, wherein it was pointed out that Shri. Budho Gawade did not report for duties till 10.30 hours on 26.8.1997. He was, therefore, directed to submit his explanation within 3 days. Exhibit A-9 is the Order dated 2.9.1997 issued to Shri. Anil P. Naik informing that his explanation dated 26.8.1997 was found



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far from satisfactory and his absence on 26.8.1997 was treated as half day Casual Leave. He was also warned to be very punctual in his duties, failing which, stern action will be taken against him. Similarly, Exhibit A-10 is the Order dated 22.9.1997 issued to Shri. Budho Gawade whereby his absence of 26.8.1997 was treated as half day Casual Leave as his explanation was not found satisfactory. He was also warned to be very punctual in his duties, failing which, action will be taken against him. Exhibit A-11 is the Warning dated 11.1.1997 issued to Shri. Anil P. Naik, CLDC, informing that his explanation dated 25-10-1997 was not found satisfactory and he was warned to be very careful in future in signing the Muster Roll, failing which, stern action would be taken against him. Exhibit A-12 is an extract of the Attendance Roll of Shri. Mario J. J. Ataide, Research Assistant for the month of September, 1997. It is seen from the said extract that Shri. Mario Ataide did not sign the Attendance Register on 26.9.1997 afternoon and on 27.9.1997, 29.9.1997 and 30.9.1997. Exhibit A-13 is an extract of the Attendance Roll for the month of October, 1997 of Shri. Mario Ataide, Research Assistant. It is seen that Shri. Ataide did not sign the Attendance Roll and as per the remarks on the said Attendance Roll, Shri. Ataide was placed under suspension w.e.f. 25.10.1997. Exhibits A-14 and A-15 are the extracts of the Attendance Roll for the months of December, 1996 and January, 1997 of Shri. Mario Ataide.

14. In support of the fourth article of charge, the Management has relied upon 2 letters, both dated 1.1.1997 at Exhibit A-16 and A-17, Order dated 2.1.1997 at Exhibit A-18, Order dated 3.1.1997 at Exhibit A-19 and Order dated 4.1.1997 at Exhibit A-20. By these Orders, the Charged Officer was appointed as the Inquiry Officer and he was directed to submit the report within a period of one month. Vide Note dated 23.9.1997 at Exhibit A-21



issued by the Managing Director, the Statistical Officer was directed to inform the position of those cases and the stage at which they were pending. Exhibit A-22 is the copy of the Minutes of the meeting of the Officers held on 18.8.1997. As per Item No. 7 of the Minutes under the Heading "Departmental Inquiries", the Managing Director had pointed out that many Inquiry Officers did not start the departmental inquiries allotted to them and that they were requested to start the same immediately and complete them within 3 months. They were also advised not to fix any inquiry during their leave period and they were directed to submit the report of Inquiry every month. The document at Exhibit A-23 is the copy of the Minutes of the meeting of all Inquiry Officers and Presenting Officers. As per the said Minutes, it is seen that the Managing Director had expressed his dissatisfaction the ways the inquiries were going on which are more than 270 in numbers. He urged the Presenting Officers to finish the minor cases faster. He instructed the Inquiry Officers to complete the major cases within 3 months and the cases of the suspended employees to be taken on day-to-day basis. It is seen from the said Minutes that some Officers had expressed their inability to complete the inquiries due to non-availability of Typists, to which the Managing Director had stated that all CLDCs, UDCs and Stenographers are supposed to type and if they do not type, action of non-releasing of increments and thereafter further disciplinary action should be taken against them. The Managing Director also expressed and advised all the Inquiry Officers to write the Roznama of the proceedings in their own handwriting and non-availability of Typist, Table, Chair, etc. which are frivolous reasons will not be tolerated. He, therefore, advised all the Inquiry Officers to take up all the inquiries seriously and complete them within 3 months without giving lame excuses.



15. Regarding the fifth article of charge, the Management has relied upon an extract of some notings at Exhibit A-9 (colly). It is seen there from that there are remarks stating that inspite of instructions, neither the Statistical Officer (Charged Officer) nor the R.A. has rectified the Board and corrected the mistakes. Similarly, there are other remarks asking to update the Board.

16. Coming now to the last article of charge, the Management has relied upon the document at Exhibit A-8 (colly) which consists of letter received from the Ministry of Planning, Government of India, addressed to the Personnel Manager, KTC, inviting attention to their letters and requesting to furnish the Annual Survey of Industries Return for the Survey Year 1996-97 so as to reach their Office before 25.03.1997. There is another letter dated 25.11.1997 from the Ministry of Statistics & Programme Implementation addressed to Shri. P. S. Reddy, Managing Director, inviting his attention to earlier reminders regarding the non-submission of Survey Returns of Industries and threatening to take legal action for prosecution. By the said letter, last opportunity was given to the Management to submit the returns for the year 1996-97 within 15 days from the receipt of the letter. Vide letter dated 8.9.1997, the Ministry of Planning, Department of Statistics, Govt. of India, had informed that the Annual Survey of Industries Return for the year 1996-97 which was due in August, 1997 was not submitted to them, as required by law. Therefore, they requested the Management to submit the same immediately. Another letter dated 4.4.1997 has been relied upon by the Management in support of this article of charge. The same is from Ministry of Planning informing that statutory returns in respect of Annual Survey of Industries for the year 1995-96 which was due in August was not submitted. Attention was also drawn to the provisions of Section 8 of Collection of Statistics Act, 1952, whereby legal action for prosecution has been



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contemplated for not furnishing the returns in time. The Management was, therefore, directed to submit the information to the Office at Panaji by 15.4.1997, positively. The Management has also relied upon the letter dated 3.11.1997 written by the Director of Transport asking to send the Draft Annual Plan for the year 1998-99.

17. Now I will discuss the documentary evidence produced by the Charged Officer in his defence. The Charged Officer has produced copies of 2 letters dated 7.11.2002 and 13.11.2000 written to M/s. Sai Services Station Ltd., Porvorim and M/s. Chowgule Industries Ltd., Campal, Panaji, respectively, stating that the information furnished by them to the K.T.C. regarding booking of Maruti vehicles in the name of Shri. Mahesh Kamat was totally without basis and false and requested them to withdraw the same.

18. As regards the second charge, the Charged Officer has produced a copy of the Order dated 1.11.1996 whereby the Charged Officer was granted 9 days privilege leave from 31.10.1996 to 08.11.1996, another Order dated 12.11.1996 granting 9 days privilege leave from 09.11.1996 to 17.11.1996. He has also produced the Order dated 01.11.1996 issued by the Managing Director whereby Shri. U. V. Naik, Assistant Financial Controller was asked to officiate in the post of Deputy Financial Controller during the leave period of Charged Officer from 31.10.1996 to 8.11.1996 and thereafter from 18.11.1996 to 02.12.1996. The Charged Officer also produced the Joining Report dated 4.12.1996 (Exhibit D-1) whereby he has joined for his duties from 04.12.1996 after availing the leave from 11.10.1996 to 02.12.1996. As can be seen from the Joining Report dated 6.12.1996 (Exhibit D-2), the Charged Officer joined his duties in the Statistical Section w.e.f. 06.12.1996 afternoon. The Charged Officer also produced a copy of Certificate of Transfer of Charge whereby he took over as Statistical Officer.



19. In his defence of third article of charge, the Charged Officer has produced a copy of the letter dated 25.10.1997 (D-5 colly) from Shri. Mario Ataide, Research Assistant, addressed to the Managing Director, whereby Shri. Ataide had submitted his reply to the Memorandum dated 25.10.1997 stating that he attended the Office right in time but he had to move out as the cleaning of the Office was in progress. He has also stated that he had gone to the Bus stand when his wife with small twin daughters were to be taken to the Doctor and after hiring a three wheeler, he came back to the Office. Shri. Ataide in the said letter has also stated that on account of the upgradation of his post from Statistical Assistant to Research Assistant in October, 1993, he discontinued signing of the Muster Roll as the same was not required for the post of scale of pay occupied by him. As per the practice established in the Corporation, the Officers have to give declaration about their attendance at the end of the month. However, on his own, he started signing the Muster Roll sometime back though it was not required. The Charged Officer had produced a copy of his Note dated 24.2.1997 (Exhibit D-5 colly) wherein he enquired from the Statistical Officer whether Ms. Maria Celia Braganza, CLDC, was engaged for typing inquiry proceedings on 30.12.1996, as the General Manager had marked her absent and sought clarification. In reply, Shri. S. H. Bhat, Inquiry Officer, informed that Ms. Maria Celia Braganza was engaged for typing job of inquiry on 30.12.1996 between 11.00 to 13.00 hours. The Charged Officer has produced an extract of the Attendance Register of some staff members for the months of March to June, 1995 (Exhibit D-5 colly). By letter dated 18.1.1997 (Exhibit D-5 colly), the General Manager of the Corporation had asked the Charged Officer to relieve Shri. Machindranath Naik and Ms. Maria Cella Braganza, both CLDCs who were drafted for typing of inquiry proceedings. The Charged Officer has produced a xerox copy of the Inquiry Notice dated 26.2.1997 issued by Shri. S. H. Bhat,

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Inquiry Officer (Exhibit D-5 colly) adjourning the hearing in one of the Inquiry matters, for want of Typist. A copy of the same was endorsed to the Joint Managing Director with a request to direct once again the Statistical Officer to spare the services of Typist/CLDC.

20. In defence of fourth article of charge, the Charged Officer has produced the copies of the following documents: -

- (1) Note dated 16.6.1997 from the Charged Officer issued to Shri. Anil Naik, CLDC of Statistical Section bringing to his notice that he has expressed his inability to do the typing work.
- (2) Note dated 21.5.1997 from the Charged Officer issued to Shri. Budho Gawade, CLDC of Statistical Section pointing out his inability to do the typing work.
- (3) A copy of the letter dated 22.5.1997 from Shri. Budho Gawade, CLDC, addressed to the Statistical Officer informing that since he was not doing any typing work, he has forgotten the typing and it was not possible for him to do the typing work.
- (4) Letter dated 17.6.1997 from Shri. Anil P. Naik, CLDC, addressed to the Statistical Officer informing that he was not entrusted any typing work and, therefore, it would not be possible for him to do the typing work and in the event, if any typing work is to be carried out, he has to undergo vigorous full course of typing.
- (5) Order dated 18.8.1997 issued by the Managing Director. It has been emphasized in the said Order that typing with a speed of 30 w.p.m. is pre-requisite qualification for appointment to the post of CLDC. While recruiting the CLDC, they have to possess this qualification and their first increments were also released after having passed the typing test. He, therefore, directed all the



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CLDCs that they should perform the typing work in addition to their own duties.

- (6) The Charged Officer has also produced the Notices dated 22.5.1997 and 23.8.1997 issued in various domestic inquiries fixing the cases for hearing. Similarly, he has also produced Memoranda dated 16.6.1997, 18.6.1997, 20.6.1997, 22.7.1997, 24.7.1997, 20.8.1997, 17.9.1997, 22.9.1997 and 24.9.1997 intimating the next date of hearing in the said domestic inquiries. He has also produced copies of hand written inquiry proceedings held on 23.9.1997, 30.9.1997, 13.10.1997 and 21.10.1997 of various inquiries.
- (7) Copies of typing test of S/Shri. Budho M. Gawade and Anil P. Naik conducted on 20.3.1998 and 21.5.1998.
- (8) Note dated 6.1.1998 addressed to Shri. Anil P. Naik, CLDC from the Personnel Officer inviting his attention that inspite of several opportunities given to him, Shri. Naik has failed in the departmental typing test, further directing him to improve the typing.
- (9) A copy of the Circular dated 28-10-1997 issued by the Deputy General Manager (Traffic) to all the Sectional Heads/depot Managers and other Officers and the staff working under them. By the said Circular, observations were made that CLDCs, UDCs and Stenographers are not typing official correspondence assigned to them by their colleagues or Officers under whom they are working. It was also stated that complaints have been made by the Inquiry Officers that many CLDCs/UDCs do not know to type. Hence, they were directed to carry out the typing work

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Including that of inquiries and incase they refuse, disciplinary action will be taken against them.

(10) A copy of the Order dated 26.9.1994 issued by the General Manager directing S/Shri. Machindranath Naik, Mohan Naik and Uday Manerikar to do the typing work in inquiry proceedings before Shri. Kane and Shri. Joshi.

(11) Note dated 11.2.1997 from the Inquiry Cell submitted to the Joint Managing Director pointing out that the Statistical Officer (Charged Officer) did not relieve Ms. Maria Celia Braganza, CLDC, for the typing work inspite of the request and for want of Typist, the inquiry work came to a halt, as explained in the said Note. By the said Note, the Inquiry Officer requested that the services of experienced staff be provided to complete the inquiries.

(12) Copy of the Note dated 30.5.1997 from the Statistical Officer submitted to the Joint Managing Director. In the said Note, the Charged Officer had stated that the reasons for not conducting the inquiries were adequately clarified as and when the said issue was referred to him. He reiterated that the inquiries could not be conducted due to abnormal working conditions and lack of typing facilities. He has also pointed out that the Statistical Section was without a Typist and without which, it was not possible to conduct the inquiries and, therefore, he submitted that in the event he is provided with a Typist, he would complete the inquiries.

(13) A copy of the Note dated 23.9.1997 from the Charged Officer stating that 5 cases of inquiries were entrusted to him and that he initiated action on these cases and in respect of 3 cases, hearings were postponed due to the reasons of non-availability of Typist, absence of Charged Officer and the Presenting Officer and on

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request from the concerned. He had further clarified that CLDCs were not in a position to do the typing despite Management directives.

(14) A copy of the Memorandum dated 18.8.1993 regarding the distribution of work amongst the staff working in the Statistical Section.

(15) A copy of the Relieving Order dated 11.6.1997 issued by the Charged Officer relieving Shri. Machindranath Naik, CLDC, from the Statistical Section w.e.f. 11.6.1997.

(16) A copy of the Transfer Order dated 4.5.1997 transferring Ms. Maria Celia Braganza, CLDC, from Statistical Section to Accounts Section for typing and proceedings on full time basis before Shri. S. H. Bhat, Inquiry Officer.

21. The Charged Officer has also produced the following documents in his defence to 5<sup>th</sup> and 6<sup>th</sup> article of charges: -

(1) A copy of the Minutes of the Officers meeting held on 13.6.1997. In the said meeting, the Managing Director has emphasised that the inquiries should be expedited and further emphasized that the reports and the relevant information required by the Statistical Section should be sent in time, and in case of any difficulties, the same should be sorted out after a personal discussion with the Statistical Officer by the concerned Sectional Heads. Regarding the updating of information on the Board displayed in the Chamber of the Managing Director, it was decided that the Research Assistant should look after the matter to ensure that the correct position is shown on the Board and ensure the compliance every week.





- (2) A copy of the letter dated 25.4.1996 from the Ministry of Planning, Government of India, stating that the Returns for the Accounting Year 1994-95 were not furnished in spite of repeated reminders, as required under the Collection of Statistics Act, 1953. It was requested to submit the Reports before April, 1996.
- (3) A copy of the Note dated 14.4.1997 from the Charged Officer submitted to the Joint Managing Director. In the said Note, the Charged Officer had pointed out that the Statistical Section did not receive the required information from the Depot. He had also pointed out that the subject matter was personally discussed at every level and also in the technical as well as in the general meetings of the Unit Heads, inspite of which, the information was not received. The Charged Officer had also assured that in case the information is received from the Units, the compilation of the information can be achieved within a month.
- (4) A copy of the Note dated 17.9.1997 of the Charged Officer by which he has brought to the notice of the Managing Director about the non-receipt of the Information from some of the Units for preparing and submitting the Statutory Annual Returns.
- (5) A copy of the Note dated 27.1.1997 from the Research Assistant to Depot Managers forwarding forms in which the Reports are to be furnished for onward submission to the Ministry of Planning, Government of India.
- (6) A copy of the Note dated 9.11.1997 from the Depot Manager, Porvorim, addressed to the Statistical Officer (Charged Officer) informing that they never furnished the monthly statement but the information was compiled by the H.O. Depot. However, in order to furnish the detailed information, it was requested to depute one



official of their Porvorim Depot to collect the required information, as it was difficult to send the details of information.

- (7) Copies of Notes dated 27.1.1997 and 11.7.1997 from Margao and Porvorim Depots furnishing certain information.
- (8) Copy of Note dated 17.3.1997 from the Charged Officer to Joint Managing Director pointing out the files put up in respect of submission of data were not received back by his Office. A number of files on DVP and Earnings are not traceable inspite of repeated inquiries and follow up. As such, there may be a delay in submission of the Report due to non-submission of the files.
- (9) A copy of the Note dated 6.2.2001 from the Charged Officer marked to the Managing Director, wherein the Charged Officer pointed out that the 4 files as mentioned therein were put up but the same were not received back. The Charged Officer also stated that the Statistical Section should not be held responsible for the misplacement of the files. It was pointed out in the said Note that the submission of successive Reports was not possible on account of the non-return/ misplacement of the files.
- (10) Copies of the extract of the notings in respect of information regarding vehicles and misplacement of files, etc.
- (11) A copy of the Office Order dated 29.4.1989 issued by the Statistical Officer regarding the distribution of work amongst the staff of the Statistical Section.
- (12) A copy of the Minutes of the Officers meeting held on 15.10.1998. As can be seen from the said Minutes that the Managing Director made enquiries with the Research Assistant as to whether his Section has received statistical data from Sectional Heads/Depots, as instructed. The Research Assistant replied in the negative and



stated that the information data of breakdown and other matters are not received in time. Hence, all Sectional Heads/Depots were requested to furnish the information required by the Statistical Section timely. It is also seen that the Managing Director had suggested certain changes to be incorporated in the technical parameters placed before the meeting. In the said meeting, it was also observed that the Inquiry Officers and Presenting Officers did not follow the uniform procedure. Hence, it was decided to have a special meeting on 22.10.1997.

(13) A copy of the Note dated 19.8.1997 from the Statistical Section whereby a copy of the communication received from the Ministry of Planning, Government of India, was forwarded to the Deputy Financial Controller with a request to furnish the relevant information pertaining to his Section.

(14) A copy of the Note dated 23.6.1997 from the Research Assistant to Deputy General Manager (Traffic) pointing out that the information pertaining to their Section was not received in time and requested to expedite the same immediately.

(15) A copy of the form in which the information is to be furnished.

22. In addition to the above documents, the Charged Officer has also produced copies of other documents such as, Pay Fixation Order in respect of Shri. S. L. Ghate, a copy of the Inquiry proceedings dated 20.11.1998 in respect of Shri. S. L. Ghate, a copy of the Order dated 11.8.1998 of the J.M.F.C., Margao passed in Criminal Case No. 71/P/98/D, a copy of the Special Civil Suit No. 81 of 1999, an extract of deposition before the Courts, a copy of the Note dated 23.09.1991 regarding fabrication and mounting of bus bodies by M/s. Starline Motor Industries Ltd., Belgaum, a copy of the

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application dated 15.4.1996 of Shri. V.V.S. Kuncolienkar for registration of Motor vehicle alongwith Form 22 and a copy of Ration Card, a copy of the F.I.R. filed by the Charged Officer against Shri. V.V.S. Kuncolienkar, a copy of the letter dated 23.6.2000 from Punjab National Bank informing that a loan of Rs.1,20,000/- was sanctioned to Shri. V.V.S. Kuncolienkar, a copy of the complaint dated 26.3.1998 filed by the Charged Officer against Shri. Kuncolienkar under Section 50 of I.P.C.

23. I shall now discuss the oral evidence led by the Management and the Charged Officer. The Management has examined four witnesses, namely Shri. V.V.S. Kuncolienkar, the Deputy General Manager (Traffic), Shri. S. H. Bhat, Ex. Statistical Officer who was on deputation to the Corporation, Smt. P. P. Chari, U.D.C. and Shri. Anil Naik, CLDC.

24. In his examination-in-chief, Shri. V.V.S. Kuncolienkar has stated that he knows the Charged Officer who is staying at Comba, Margao and after showing the Exhibit at A1 (colly), he stated that the Charged Officer has given his address as "Maina, Curtorim, Salcete". He has also identified the photo on Driving License as that of Charged Officer. The witness further stated that he was aware that the Charged Officer was issued Charge-sheet for misconduct of engaging in private trade i.e. booking and sale of cars. He has stated that the Management sought certain information regarding the vehicles booked by the Charged Officer from M/s. Sai Services Station Ltd., Porvorim and M/s. Chowgule Industries Ltd., Campal, Panaji. He stated that he was also aware that the replies had been received from them and he has seen the same. The Management had also received booking documents, Performa Invoice and other documents connected with the booking of cars. According to this witness, the permission from the Management is required



and that the Charged Officer did not obtain the permission from the Management.

25. The Sectional Head has to control the staff working under him and has to sign the Muster Roll. He stated that the Charged Officer did not maintain the Muster Roll of Shri. Mario Ataide, Research Assistant in Statistical Section and that the Charged Officer failed to control the attendance of the said Shri. Ataide. The Muster Roll for the months of September and October, 1997 was not at all signed.

26. This witness further stated that the Warnings were issued to the Charged Officer for coming late and he has produced the Memo dated 26.8.1997, Warning dated 28.9.1997 and Memo dated 25.10.1997 issued by the Administration Department (Exhibits A-3, A-4 and A-5). A Circular instructing all the staff was also issued regarding punctuality in attendance. The matter was also discussed in the Officers Meeting emphasising punctuality in attendance by the Officers and the subordinate staff. He stated that he was aware that the staff working in the Statistical Section were not attending the Office in time and they were issued Memo by the Managing Director. The witness stated that he was aware that 5 cases of inquiries were allotted to the Charged Officer and that the Charged Officer did not submit report in any of these cases nor he has proceeded with the inquiries for the reported reason that the Charged Officer had no Typist for attending the work of inquiry. The Managing Director had also directed the Charged Officer to furnish the details regarding the status of the inquiry cases.

27. In his cross-examination, he stated that one Smt. Hirabai Kamat, mother of the Charged Officer, had filed a Civil Suit in Margao Court against him for recovery of money. As regards the purchase of vehicle by the



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witness, he stated that he reported the same to the Competent Authority of the Corporation. The witness stated that the C.C.S. (Conduct) Rules, 1964 are made applicable to the Officers of the Corporation but he was not aware since when they were made applicable. The witness stated that the Statistical Section does not come directly under him but he was the Disciplinary Authority for the employees coming under the certified standing orders of the Corporation. The witness admitted that he is not an Appointing Authority but the Personnel Officer is the Appointing Authority for the subordinate staff. Shri. S. H. Bhat was holding additional charge of the Statistical Section from February, 1998 to March, 1998. The witness stated that it is always not necessary for the Sectional Head to check the attendance everyday. He says that he did not process the Charge-sheet but he was associated in the process. The late coming was also reported to him but that he had witnessed the Managing Director personally opening the Office of Statistical Section at 10.30 to find out the Assembly question. To the suggestion put by the Defence Assistant of the Charged Officer that the signatures appearing on the Exhibit A-1 (colly) are not of the Charged Officer, the witness has replied it in negative. This witness has denied the various suggestions put by the Defence Assistant of the Charged Officer.

28. The other witness, namely Shri. S. H. Bhat, Ex. Statistical Officer, in his examination-in-chief stated that he was working as Statistical Officer in the Corporation and during his tenure, one Research Assistant, one U.D.C. and two CLDCs were working under him. Generally, the CLDCs attached to the Statistical Section carry out the typing work and in time of need, U.D.C. also carried out the typing work. The witness stated that the Managing Director had entrusted him to contact M/s. Sai Services Station Ltd., Porvorim and M/s. Chowgule Industries Ltd., Campal, Panaji, for collecting certain



confidential documents and accordingly, he collected and handed over the same to the Managing Director.

29. The documents which were collected and handed over to the Managing Director are Exhibit at A-1 colly. These documents pertain to the booking of vehicles. As the Statistical Officer, the witness stated that he was aware about the various Returns to be filed before various authorities, including Ministry of Planning for preparation of Annual Plan, etc. and he has submitted the same on right time during his tenure. The witness stated that when he took over the charge from the Charged Officer after suspension, submission of the Annual Plan and Annual Survey of Industries Return were mainly pending and, therefore, reminders/Telegrams were received from the concerned authorities. The witness stated that he had submitted one report to the Ministry of Planning, Government of India and remaining information was under collection/compilation. He says that he was not aware whether the Charged Officer was asked to update the statistical information. However, the task of updating the statistical information is of the Statistical Section. The Board in the Chamber of the Managing Director was updated every month and kept. The witness stated that the Managing Director have put the remarks regarding updating of Board. The Managing Director have also remarked that inspite of his instruction, the mistakes on the Board were not rectified by the Statistical Officer or Research Assistant.

30. In his cross-examination, the witness stated that the documents were handed over to him in an envelope addressed to the Managing Director, which was not sealed but packed. The witness says that the job entrusted to him by the Managing Director was over after handing over the envelope. The witness says that the Managing Director casually showed these documents to him. The witness says that as per the letter dated 4.8.1997 from the

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Government of India, Department of Planning, the last date for submitting the Report was 30.8.1997. The witness says that he was not aware as to the earlier date given by the Ministry of Planning for submitting the report. The witness says that he submitted the Report for the year 1996-97 without submitting the Survey Report for 1995-96. The witness clarified that such a Report could be sent since it was yearly report. The witness says that the delay in submission of 1995-96 report may be due to non-submission of information by the Depots/Workshops.

31. He stated that he was working as Statistical Officer in the Corporation nearly for 2 years and that while handing over the charge of the Statistical Officer to the Charged Officer, he did not hand over the list of pending work, since the Research Assistant was in-charge of such work. He admitted that it was the duty of Research Assistant to compile and put up the information to the Statistical Officer. He did not offer any comments to the question as to how the Report to be sent of the year 1996-97 without compiling the Report of 1995-96 when the report were required to be sent in specific format which include Opening Balance, additional and Closing Balance. He stated that the Reports are required to be submitted by the Managing Director. He stated that he was not aware whether the Report for the year 1994-95 was signed and submitted by the Research Assistant. The witness has stated that he is not aware as to whether the submission of Report for 1994-95 was delayed. The Report for the year 1994-95 was compiled by the Research Assistant. He states that he was not receiving the information from Depots and Workshops.

32. The witness stated that he utilized the service of Ms. Maria Cella Braganza for the purpose of typing since she was doing the work of typing during inquiries, whereas Shri. Budho Gawade was in-charge of other work of

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Reports and, therefore, Shri. Gawade was not requisitioned by him, in order not to disturb him. The witness admits that after the transfer of the Charged Officer as Statistical Officer, there are only 2 CLDCs in the Statistical Section namely, S/Shri. Anil Naik and Budho Gawade. The witness stated that he did not remember as to whether the hearing in the inquiry was adjourned for want of Typist. He admits that the services of the Typist are essential in the inquiry proceedings. The witness admitted that there was discussion between the Charged Officer and the Managing Director during a Review Meeting of the Officers. However, he stated that he could not complete certain inquiry and no time limit was given to him nor any explanation was called from him for the delay in completing the inquiries. The witness stated that he was not maintaining the records of the Roznama. As the Statistical Officer, he was not required to sign the Muster Roll. The witness stated that he had maintained Movement Register for him and his staff. The witness further stated that the Managing Director used to check the Movement Register. He admitted that the instructions were given by the Managing Director to countersign the Muster Roll on day-to-day basis, but he stated that he does not remember the details of such instructions. As the Statistical Officer, he was not countersigning or initialing the Muster Roll on day-to-day basis. The Statistical Officer is the Controlling Officer of the Statistical Section and if any staff member comes late, the Statistical Officer has to take action. The witness stated that he was not aware whether the Personnel Officer had issued Memos to S/Shri. Anil Naik and Budho Gawade on 7.9.1995 for late coming. The witness stated that he was aware that during his tenure as the Statistical Officer, the Research Assistant in the Statistical Section was not maintaining the Muster Roll and that the Research Assistant sometimes used to come late for the Office. As the Statistical Officer, he was not responsible for shortfall in revenue. During his tenure as the Statistical Officer, there was

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a delay in submission of data by Depots/Workshops. The witness stated that it is the responsibility of the Statistical Officer to update the data on the Board displayed in the Chamber of the Managing Director. Ms. Maria Celia Braganza and some other CLDC were making the entry on the Board.

33. Smt. P. P. Charl, U.D.C. In her chief-examination stated that while she was working in the Accounts Section, she was doing typing work and other works assigned to her and that she never refused typing work. While working in the Statistical Section, the Charged Officer allotted to her the work of U. D.C. and that the Charged Officer did not ask her to do the typing work during the inquiries.

34. In the cross-examination, she stated that Ms. Maria Celia Braganza was doing the typing work and in her absence, Shri. M. Y. Naik was doing the typing work. If both of them were absent, in that case, the witness stated that she was doing the typing work. The witness stated that she was promoted as U.D.C. in the year 1990 or 1991. She states that she did not carry out any typing work when Shri. S. H. Bhat was conducting domestic inquiries. She has stated that while she was working in the Accounts Section and Statistical Section, the Charged Officer had given her various typing work, which she carried out. She states that the Charged Officer did not change her work after he took over as the Statistical Officer. However, the Charged Officer approached her and asked to do typing work during the enquiry and for that purpose, some of her work would be assigned to S/Shri. Budho Gawade and Anil Naik, which she agreed. But she was not called for enquiry. This witness stated that she could do the typing work if the material is given in writing.

35. Shri. Anil Naik, CLDC, in his examination-in-chief stated that he has worked in various Sections and as CLDC, he was doing the typing work also.

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He states that when he was transferred in the Statistical Section, he never refused to do any work entrusted to him by the Charged Officer. He says that he never refused to do any typing work during domestic enquiries. He stated that the then Managing Director, Shri. Ian D' Costa, checked the Muster Roll and marked "Absent" for those who did not report in time. He says that he was marked "Absent" for coming late and, therefore, he was asked to give Casual Leave. Besides, he was also warned. The Muster Roll is controlled by the Departmental Head. The Personnel Officer gave him warning since the Head of the Department failed to check the Muster Roll.

36. In his cross-examination, Shri. Naik stated that he joined Statistical Section on 10.6.1997 when the Charged Officer was the Statistical Officer, who continued till October, 1997. He says that he had given the typing test in the Corporation. He stated that surprise check of the Muster Roll was carried out at least once in every month. He says that he was attending the Office in time and there was no Late Attendance Register in the Statistical Section and also in other Sections. He reiterated that he was not given typing work during domestic enquiry. However, once during the absence of Shri. Budho Gawade, he was assigned the work of writing deposition since the Charged Officer asked him to do so. The witness has denied that he did not know typing. He reiterated that he knows typing and that he was aware of the instructions issued by the Managing Director. He denied that he has given anything in writing that he has not done typing.

37. Coming now to the witnesses examined by the Charged Officer in defence, the witness Shri. Pramod A. Gaonkar, Depot Manager of Corporation (DW1) in his examination in chief stated that he joined the KTC as Purchase Officer in the year 1982 and thereafter, was transferred as Depot Manager at Margao in 1985 and subsequently, as Works Manager in



September, 1997. He stated that he did not come across any rules framed by the Corporation. He also acted as Inquiry Officer in 3 to 4 cases entrusted to him and completed all these inquiries. Generally, 90 days time was given to complete the inquiries. However, in one case, he stated that he took 4 months to complete the inquiry and no disciplinary action was taken against him for delay in completing the said inquiry. He stated that the delay for not completing the inquiry is due to various reasons, amongst others, non-availability of Typist. He says that somewhere in October, 1997, a meeting of Inquiry officers was convened by the Managing Director to review the inquiry cases and during the said meeting, the Inquiry Officers put forth their grievances. The Charged Officer who was also present for the said meeting also submitted his grievances of non-availability of Typist and at that moment of time, the Managing Director lost his control and started scolding the Charged Officer and went even to the extent of saying that he would suspend him (Charged Officer) and left the meeting. According to this witness, the difficulties put forth by the Charged Officer were genuine. The witness further stated that no inquiry proceedings have been initiated against any Inquiry Officers for delay in completing the inquiry proceedings.

38. This witness says that as a Controlling Officer, he has never countersigned the Muster Roll daily. Initially, the relation between the Charged Officer and Shri. V.V.S. Kuncolienkar was very good but subsequently the same became strain due to Starline Bus Body Building, as the Charged Officer being Deputy Finance Controller had pointed certain deficiencies. As a Sectional Head, he was required to submit such information to the Statistical Section in the Head Office pertaining to various matters. The witness stated that he has to collect the information from various Units under his control and on receiving the same, he could submit to

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the Statistical Section. Sometimes, Statistical Section is to remind them on phone or sometimes in writing. As regards the Notice Board, the witness stated that he noticed the changes made in the Notice Board in the Chamber of Managing Director whenever he had attended the meeting.

39. In his cross-examination, the witness stated that he is one of the senior Officers of the Corporation and knows ins and outs of the Corporation. The witness reiterated that there are no rules or regulations framed by the Corporation. The Circular issued by Shri. Saudagar, Personnel Officer of the Corporation was regarding various grades of the Corporation based on the pay scale. The witness reiterated even to the suggestions that the Corporation is running without rules as far as the Officers are concerned. As regards the inquiry, which was completed within 4 months, the witness stated that he could complete the same because the charges were admitted by the charged worker. The witness admitted that he has to control the staff working under him and ensure their punctuality. At the time of initial appointment as Purchase Officer, the witness says that he was given an offer of appointment, which, inter alia, contain that his appointment would be governed by the Corporation rules and he would be informed of the changes, if any, made in the service conditions with due notice. The witness says that so far as the Officers are concerned, there is no policy decision regarding their service conditions. The witness stated that he does not know whether the Board has taken any decision whereby the service conditions, as applicable to the Government Officers are made applicable to the Officers of the Corporation. As far as the other workmen are concerned, they are governed by the certified standing orders.

40. The other witness, Shri. Narayan S. Naik, Assistant Depot Manager (DW2) in his chief examination stated that he was informed at the time of



initial appointment that he would be governed by the rules of the Corporation somewhere in the year 1990. However, there were no rules as far as his knowledge goes. He says that he falls in Group 'C' Cadre and his next superior is Depot Manager who is Group 'B' Cadre. This witness says that he has also worked as an Inquiry Officer and in order to complete any inquiry, 90 days time period was given. However, it was not possible to complete the inquiry within 90 days due to administrative difficulties such as, non-availability of Presenting Officer, Charged Officer, Inquiry Officer and Typist. The services of the Typist were made available from his Section itself and he could not engage the Typist from other Sections. This witness also says that to his knowledge, no Charge-sheet has been issued to any other Inquiry Officers for not completing the inquiry proceedings within the stipulated period.

41. The witness states that the relations between Shri. V.V.S. Kuncolienkar and the Charged Officer are strain. He corroborated with the other witness that his next superior was not countersigning the Muster Roll daily as there are no instructions to that effect.

42. The witness states that as an Assistant Depot Manger, he was required to send the information pertaining to the revenue, consumption of Diesel, Oil, operation and other technical details to the Statistical Section and it is only when the information was complete, the same used to be furnished to the Statistical Section in the prescribed format. This witness says that they used to receive the reminders asking them to send the requisite information as and when the information was not received by the Statistical Section. This witness has also corroborated that a meeting of all the Inquiry Officers was held in October, 1997 in the Chamber of the Managing Director, which he did attend alongwith the other Inquiry Officers. The Charged Officer had also



attended the said meeting. During the said meeting, most of the Inquiry Officers placed their grievances regarding the non-availability of the Typist and there were arguments between the Charged Officer and the Managing Director. At that moment, the then Managing Director threatened the Charged Officer that he would kick him (C.O.), sack him and the Managing Director left the meeting. The witness stated that he has noticed the changes in the Notice Board displayed in the Chamber of the Managing Director whenever he attended the meeting.

43. In his cross-examination, he stated that he was given offer of appointment stating that his appointment would be governed as per the rules framed by the Corporation and that he has not received any rules or regulations nor he is aware of any rules of the Corporation which governs his service conditions. He says that the employees of the Corporation are governed by certain rules made by that Corporation but, he is not aware of any resolution passed by the Corporation extending the rules to the Officers of the Corporation, as applicable to the Government servants. He says that his service conditions are governed as per the whims and fancies of the management of the Corporation. He says that some of the Cashier-cum-LDCs attached to his Section would do typing work and some could not do typing work. As a Sectional Head, he admitted that it is his duty to see that the staff members attend the Office in time and ensure their punctuality and performance of the duties allotted to them. The witness also stated that as a Sectional Head, it is possible for him to propose an action against the staff members who fail in their duties. He admitted that it is duty of the Sectional Head to send the information timely to the Statistical Section, as and when called for. He also admitted that it is the duty and responsibility of the Statistical Section to update the data on the Notice Board displayed in the



Chamber of the Managing Director and it is also the duty of the Inquiry Officer to bring it to the notice of the Managing Director about the non-availability of the Typist so that Disciplinary Authority can make available the services of Typist to the Inquiry Officer.

44. The third witness examined by the Charged Officer, namely Shri. Sanjay L. Ghate, Depot Manager (DW3) in his examination in chief stated that he joined the Corporation as Assistant Depot Manager in the year 1983 and at the time of his appointment, he was not informed about the rules of the Corporation and that there were no rules framed by the Corporation. The witness says that he was also appointed as the inquiry Officer in certain cases and the inquiries were to be completed within the time limit of 90 days. However, it was not possible to complete the inquiries within the laid down period on account of procedural aspects such as, sending notices, absenteeism by the Charged Officer or the Presenting Officer, etc. He says that he was provided the services of Typist to complete those inquiries.

45. The witness says that he knows Shri. V.V.S. Kuncolienkar, Deputy General Manager (Technical) and the relations between Shri. Kuncolienkar and the Charged Officer were strain. However, he does not know the reasons for the same. He says that he is the Head of the Department and as such, is not required to sign or initial the Muster Roll. The witness stated that they were required to send certain information pertaining to cancellation of Kilometers, revenue, scrap, Tyre, etc. to the Statistical Section. The other Sections in the Corporation were also required to send similar information to the Statistical Section. The witness says that there used to be a monthly regular meeting to review the information furnished by them but no such regular monthly meetings are held for the last 4-5 years. He says that the Board is displayed in the Chamber of the Managing Director containing



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certain information such as, vehicles on the route, off the routes, revenue, staff position, etc. Every month, the information was updated by the Statistical Section. He says that he was aware of about National Sample Survey Organisation but was not aware of maintaining any information in his Section which is required to be sent to the National Sample Survey Organisation. The witness stated that the Board of Directors is the Appointing Authority and Disciplinary Authority. He says that he was served with 2 Memoranda of Article of Charges on two occasions by the Managing Director. In one case, one Shri. Prabhu was appointed as the Inquiry Officer. In one of the cases, the witness says that he took preliminary objection in the said inquiry that the Managing Director had no powers to issue such Memorandum of Article of Charges. In the said case, the present Presenting Officer was also the Presenting Officer on behalf of the Disciplinary Authority. In another case, one Shri. Harmalkar was the Presenting Officer and he accepted the preliminary objection raised by him during the said inquiry. The witness says that the Statistical Section collects the information from them and after collecting the same, submits the same to the Managing Director.

46. The witness says that a Review Meeting of all the Inquiry Officers was held in the Chamber of the Managing Director somewhere in the year 1997, in which the Charged Officer put forth his grievances of non-availability of Typist and on account of the same, the Charged Officer could not complete the inquiries allotted to him. The Managing Director agreed to provide the Typist and also stated that the Charged Officer is already having a Typist. The Charged Officer replied at that time that the Typist provided to him did not know the typing work. Thereafter, the Managing Director got irritated and stated that he would see to the Charged Officer and suspend him.

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Thereafter, the Managing Director left the meeting. Immediately after 2-3 days, the Charged Officer was suspended.

47. In his cross-examination, the witness stated that his Appointment Order was signed by the Managing Director but it was clearly mentioned in the said Order that he was appointed in terms of the resolution passed by the Board of Directors. In the said Appointment Order, certain terms and conditions were laid down. The witness stated that he was not aware as to how he was promoted as Depot Manager in the absence of rules. The witness stated that the grading to the Officers is done based on the scale of pay. He stated that he does not know as to whether the scales of pay are prescribed according to the law. The witness also expressed his inability to say anything to the suggestion that the Corporation is running without any Service Rules for the last 20 years, so far as the Officers are concerned. The witness stated that he can produce his Appointment Order on the next occasion. The witness also denied that though the Appointment Order is signed by the Managing Director, the Managing Director is his Disciplinary Authority. The witness admitted that he knows that there are certain rules and regulations made by the Corporation relating to workmen, Staff Rules, operational and he stated that he is not aware of any Recruitment Rules. The witness admitted that there are rules governing the workmen in the form of standing instructions but he does not know the rules governing the Officers of the Corporation. The witness also stated that he does not know whether any resolution has been passed by the Board of Directors extending the Service Rules, as applicable to the Government servants to the Officers of the Corporation. The witness admitted that the Leave Rules and the extension of benefits of V<sup>th</sup> Pay Commission were made applicable to the Officers of the Corporation and he was informed of the same. The witness stated that he

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can produce a copy of the preliminary objection raised by him in his inquiry. The witness has produced a xerox copy of the objection at Exhibit DW3-1. The witness stated that he cannot say anything to the suggestion that he was initially appointed as per the rules and that the posts in the Corporation are filled as per the rules. The witness admitted that the Corporation is the Government of Goa undertaking. The witness produced the Pay Fixation Order dated 1.4.1999 at Exhibit DW3-2. As regards the Appointment Order, the witness stated that he cannot produce the same as it is not readily available with him.

48. The fourth witness of the Charged Officer, Shri. Mario Ataide, Research Assistant (DW4) in his chief examination stated that he joined the Corporation as Statistical Assistant in December, 1983 and at present, he is holding the post of Research Assistant since 1993. The witness says that at the time of his appointment, certain terms and conditions were imposed and apart from that, there were no other rules made known to him by the Management, nor the Management has notified any other Government Rules extending the same to the Officers of the Corporation. The witness says that he knows the Charged Officer since he joined the Corporation as well as Shri. V.V.S. Kuncolienkar who is also working in the Corporation. The relations between them are not cordial. The witness says that one Shri. S. Bhat was the Statistical Officer on deputation to the Corporation from 7.11.1996 to 6.12.1996 and the Charged Officer succeeded Shri. Bhat. The witness says that all the correspondences, tapal, etc. are routed through the Charged Officer and there is no occasion causing any delay on account of the Charged Officer.

49. The witness states that on 25.10.1997, he reported the Office at 9.50 a.m. alongwith his small childrens. At that time, the Charged Officer was



available in the office. The witness states that he took the permission of the Charged Officer to take his childrens to the Doctor and the Charged Officer permitted him to do so. The witness says that he attended the meeting of the Inquiry Officers held on 22.10.1997. In the said meeting, various matters were discussed. Prior to that, there was another meeting held on 15.10.1997 and he states that he was not aware whether the Charged Officer was invited for the said meeting held on 15.10.1997. The witness states that he has also worked as Inquiry Officer and has conducted inquiries. While he was working as the Inquiry Officer, he was using the services of Smt. Maria Celia Braganza and Shri. M. Naik. The witness says that there was shortage of Typist after the transfer of Ms. Maria Celia Braganza and Shri. M. Naik. The issue regarding the non-availability of Typist in the Statistical Section was discussed in the meeting of the Inquiry Officers and the same was brought to the notice of the Management by the Charged Officer. The Managing Director did not solve the problem of the Statistical Section by providing the services of the Typist. The Managing Director was present throughout the meeting but did not provide the services of the Typist to the Statistical Section. The witness says that the Managing Director used to call him for any work of the Statistical Section even though the Charged Officer was the Reporting Officer. He says that he had told the Managing Director to call the Charged Officer for any work pertaining to the Statistical Section. During the tenure of earlier Statistical Officers, S/Shri. Natekar and Suman Bhat, the Managing Director was not calling him for any work and he stated that he does not know the reasons for not calling the Charged Officer. The Statistical Officer is the Leave Sanctioning Authority for the staff working in the Statistical Section. All the applications for leave should be routed through him and he was the Recommending Officer for the staff working in the Statistical Section. Based on his recommendation, the Statistical Officer used to take a decision and

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there is no instance where the Statistical Officer has sanctioned any kind of leave bypassing the Research Assistant. The witness says that no Statistical Officer countersigns the Attendance Register regularly. The dealing hand used to process the Certificate of Attendance of the staff working in the Statistical Section for the purpose of payment of salary and put up the same to him, who in turn, used to submit the same to the Statistical Officer and thereafter the Certificate was sent to the Accounts Section for payment of salary. The witness says that during the tenure of the Charged Officer, one U.D.C. who remained absent for 3 consecutive days and inspite of reporting these facts to the Accounts Section, the salary of the said employee was paid after suspension of the Charged Officer.

50. The witness says that he was also entrusted with the inquiries and normally time limit of 3 months was given but he could not adhere to the time limit to complete the inquiries. The other Inquiry Officers also placed their grievances during the meeting that the time limit of 90 days is not sufficient to complete the inquiry. The Managing Director did not give any solution to the problem and he left the meeting. There are Boards displayed in the Chambers of the Managing Director and Vice-chairperson giving statistical information of the Corporation. The Clerk of the Statistical Section updates the information on the Board every month. Besides CLDCs, there are UDCs also in the Statistical Section and Managing Director had issued directions that both the UDCs and CLDCs should do the typing work. During the year 1997, one Smt. Chari was the UDC and S/Shri. Anil Naik and Budho Gawade were the CLDCs in the Statistical Section. S/Shri. Anil Naik and Budho Gawade could not do any typing work and they were not fit for typing work. Infact, both of them had given in writing that they had never done any typing work in their lifetime. Though Ms. Chari knew typing, she was not typing of



Inquiries. The Statistical Section was not receiving the information in time and the reminders used to be sent to the Depots requesting to expedite the information pertaining to their Sections. The non-submission of the information by the Sections and Depots were also discussed in the meeting with the Managing Director and the Managing Director had issued instructions to the Depots as well as to the other Sections to expedite the information timely to the Statistical Section. The Statistical Section used to submit the information to the Managing Director and the same used to be received back with the remarks of the Managing Director. The Report for the period from 1995-96 was due prior to the joining of the Charged Office. When the Charged Officer had joined the Statistical Section, the last return submitted was for the year 1994-95. The Report for the year 1995-96 could not be sent unless the Return for the preceding year was sent, because it was linked with the opening and closing balances, as specified in the format. The witness stated that he does not remember whether the Managing Director had sent the reminder to the Statistical Section to submit the report. The witness says that the Managing Director has given him the instructions to complete the returns, which were incomplete. The Sectional Heads and the Depot Managers used to compile the information of their respective units and submit the same to the Statistical Section and the dealing hand in the Statistical Section thereafter used to compile the information received from various Depot Managers and Sectional Heads and used to submit the same to the Managing Director through the Statistical Officer.

51. In his cross-examination, the witness admitted that it is the duty of the Sectional Head to ensure the submission of the information in time. The witness voluntarily stated that this is possible provided the Section gets the information in time from the Depots and other Sections. The witness stated

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that he was appointed in the year 1983 as per the prescribed Recruitment Rules of the Corporation and for other appointments also, there were Recruitment Rules. As far as the recruitment to the post of CLDC is concerned, typing is one of the essential qualifications and the CLDCs are supposed to know the typing work. However, the CLDCs have no experience of typing for almost 17 years. The witness states that all the staff of the Corporation are required to be on their seats at 10.00 a.m. The witness denied that he did not report for his duties on 25.10.1997 before 10.15 a.m. He also denied that he did not take the permission of the Charged Officer for leaving the Office for taking his childrens to the Doctor. The witness also denied that the Charged Officer was not present for the meeting held on 22.10.1997 and there was no question of Managing Director getting annoyed on the Charged Officer on that day. The witness admitted that the Managing Director might have passed certain remarks for not updating the information on the Notice Board which was displayed in the Chamber of the Managing Director but the same is due to non-receipt of information from the concerned Sections in time. The witness stated that they have brought to the notice of the Managing Director about the non-submission of Reports of various Sections/Depots.

52. In the statement of defence, the Charged Officer has stated that he has never booked any vehicles with M/s. Sai Services Station Ltd. or M/s. Chowgule Industries Ltd. The documents produced by the Management through the witnesses, namely S/Shri. V.V.S. Kuncolienkar and Bhat have no relevance, inasmuch as, the Charged Officer has denied his signatures on the same. The Management has not examined any independent witnesses. That apart, the Charged Officer stated that the relations between him and Shri. Kuncolienkar are strain due to personal enimity. The evidence led by



the Management in respect of all the charges are not sufficient and adequate to prove the charges levelled against the Charged Officer. In the cross-examination, the Charged Officer stated that there exist rules concerning leave, traveling allowance, dearness allowance, and medical allowance. However, there are no rules regulating service conditions of the Officers of the Corporation and no rules of the Government have been made applicable to the Officers of the Corporation. The grading of the Officers are done as per the scales of pay. The witness has denied of having booked 5 Maruti vehicles with M/s. Chowgule Industries Ltd. and 8 Maruti vehicles with M/s. Sai Services Station Ltd. during the period from February, 1996 to October, 1996 and March, 1994 to August, 1996, respectively. He has also denied that he has purchased 14 cars with M/s. Sai Services Station Ltd. and M/s. Chowgule Industries Ltd. as at Exhibit A-1. He has also denied of having attended the Office late on 25.10.1997. As regards the domestic inquiry cases, the Charged Officer stated that he was not allotted any cases while he was functioning as Deputy Financial Controller but he was entrusted about 4-5 cases only after he was appointed as Statistical Officer. As regards the furnishing of statistical data to the Government of India as well as to the State Government, the Charged Officer stated that the delay cannot be attributed to him as earlier reports were not submitted by his predecessor.

53. The Presenting Officer as well as the Defence Assistant of the Charged Officer filed their written arguments. The Presenting Officer in his written arguments submitted that the Charged Officer while functioning as Deputy Financial Controller during the period from 24.3.1990 to 6.12.1996 was involved and/or engaged directly or indirectly in private trade/disposal and acquired or disposed off movable property without prior approval of the Departmental Head. The witness, namely S/Shri. V.V.S. Kuncolienkar and



S. H. Bhat in their depositions have stated that they obtained the documents at Exhibit A-1 colly, which shows that the Charged Officer was involved/engaged directly or indirectly in acquiring or disposal of Maruti vehicles. The documents at Exhibit A-1 colly pertain to the Charged Officer and that the Charged Officer has admitted of having not obtained the prior approval of the Departmental Head for booking all these vehicles. Therefore, this charge stands proved.

54. Regarding the second charge, the Presenting Officer submitted that the Management witness has stated that the Charged Officer while functioning as Statistical Officer was very irregular and even did not attend the Office on 25.10.1997 till 10.15 a.m. and that the Charged Officer himself admitted that he was late on 25.10.1997 and therefore, the second charge also stands proved.

55. Regarding the third charge, the Presenting Officer submitted that during the period from 7.11.1996 to 25.10.1997, the Charged Officer failed to keep proper control on the staff working under him, as far as their attendance and punctuality are concerned. The Management witness stated that the Charged Officer failed to keep the bonafide attendance of the staff. The Charged Officer himself has not brought any documents or adduced any evidence to show that he was keeping the attendance of the staff and therefore, from the evidence adduced and documents on record, this charge also stands proved.

56. Concerning the fourth charge, the Management witnesses i.e. CLDCs clearly stated that they knew typing. The evidence produced by the Charged Officer that the CLDCs could not do any typing work cannot be sustained and therefore, this charge also stands proved.

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57. As regards the fifth charge which relates to updating of Notice Board, the Presenting Officer submitted that the Charged Officer himself had admitted that there are Boards in the Chambers of the Managing Director and Vice-chairperson and the same are required to be updated, which shows that the work of updating of the Boards is of the Statistical Section. The documents which are produced by the Management and the remarks of the Managing Director clearly indicate that the Boards were being updated by the Statistical Section. Hence, this charge also stands proved.

58. As regards the sixth charge regarding failure to furnish Reports to the Central Government and State Government, the Presenting Officer submitted that the Charged Officer and his witnesses admitted that the Charged Officer did not send the Reports to the Central as well as to the State Government due to non-furnishing of information by the Depot Managers/Sectional Heads. However, the Charged Officer did not brought anything on record to show that he had called for the information and even after repeated reminders, he had not receive the same. Hence, this charge also stands proved.

59. In reply, the Defence Assistant of the Charged Officer submitted that the Management has failed to support the allegations contained in charge-I. The contention of the Defence Assistant is that the acquisition and disposal of vehicles is registered and recorded in the Certificate of Registration issued by the Regional Transport Authority (R.T.O.). The R.C. Book contains the full particulars of the vehicle. These material requirements are absent in evidence. The Management did not produce authentic records from the R.T.O. to establish the purchase and sale of alleged vehicles by the Charged Officer. Hence, it is to be concluded that the records produced by the Management are irrelevant to the charge.

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60. The Defence Assistant further submitted that the application of C.C.S. (C.C.A.) Rules, 1965 itself is questionable since there is no provision in the C.C.S. (C.C.A.) Rules that it requires the approval of the Departmental Head for booking and disposal of the vehicles. It is also the case of the Charged Officer that the Management did not produce the banking records to establish the belongingness of money to the Charged Officer. It is also not established that the money were deposited by the Charged Officer. No witnesses have been examined from M/s. Sai Services Station Ltd. and M/s. Chowgule Industries Ltd. to show that the documents at Exhibit A-7 colly pertain to the Charged Officer. Showing some identity in the said documents cannot be construed as misconduct. The Charged Officer also submitted that the Management has failed to establish that Shri. Mahesh P. Kamat referred to in the documents at Exhibit A-7 colly was the Deputy Financial Controller of Kadamba Transport Corporation and that the Dealers did not confirm at any stage the same. On the contrary, the Charged Officer issued Notices to both the Dealers which were not replied. The Management did not produce any original documents in support of their case nor got the customers identified through the Dealers.

61. As regards the evidence of the witness, Shri. V.V.S. Kuncolienkar, the Charged Officer submitted that his relations with him are strain. The witness, Shri. kuncolienkar deliberately and intentionally did not circulate the Minutes of the meeting held on 28.10.1997 to the Charged Officer although the Minutes were circulated to other 28 Officers. The witness though stated that he reported the purchase of his own vehicle to the Competent Authority, the Presenting Officer vide proceedings dated 29.7.1998 stated that no letter giving sanction/approval of the Corporation was issued to the witness. The deposition of the witness to the effect that the Charged Officer did not start

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the inquiries is contrary to the evidence brought on record by the Charged Officer. The other witness examined by the Management, namely Shri. S. H. Bhat has admitted that the Research Assistant, Shri. Mario Ataide, was not maintaining the Muster Roll since 1993-94. Hence, the charge under Article-I is not proved.

and the hearings were fixed in November, 1997. The evidence produced by 62. Regarding the second and the third charges, the Charged Officer submitted that the Management has failed to produce any evidence to prove that the Charged Officer was irregular in his attendance from 7.11.1996. The Charged Officer submitted that the evidence brought on record clearly establishes that the Charged Officer was on leave from 7.11.1996 to 4.12.1996 and he took charge of the Statistical Officer in the afternoon of 6.12.1996, which has been confirmed by the Management witness, Shri. Bhat. Being so, the question of attending Office late during the leave period does not arise. The Charged Officer submitted that in his deposition he has denied that he was regular in attending the Office as Statistical Officer. He has never received any Warning. The so-called warning dated 28.8.1997 was never served on him. The Charged Officer submitted that he continued as Deputy Financial Controller till 6.12.1996 and that the Transfer Order was served on him only on 4.12.1996. The fact that the Research Assistant was not maintaining the Muster Roll since 1993 has been confirmed by the Research Assistant himself. The Charged Officer also submitted that the Management witness, Shri. Bhat has himself admitted that the Statistical Officer was not countersigning or initialing the Muster Roll on day-to-day basis.

63. Regarding the fourth charge, the Charged Officer submitted that the Management has failed to establish and pinpoint that the Charged Officer had failed to conduct the inquiries entrusted to him. The Charged Officer

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submitted that 5 inquires were entrusted to him and only 1 months' time was given to complete the same, whereas the other Inquiry Officers were given 3 months' time. The contention of the Charged Officer is that the Management has intentionally entrusted these inquires to him in order to harass him. The Charged Officer submitted that he issued notices in the inquiry proceedings and the hearings were fixed in November, 1997. The evidence produced by the Charged Officer is sufficient to prove that he had commenced the inquiries. The contention of the Charged Officer is that when the inquiries were pending with various Officers, no action has been taken against them and the Charged Officer has been singled out for not completing the inquiries. The Charged Officer also submitted that the services of the Typist were not made available to him in the inquiry proceedings and after he took over as Statistical Officer, Typists, namely Ms. Maria Celia Braganza and Shri. M. Naik, who were doing the typing work were deliberately transferred from the Statistical Section and no substitutes were given in their place. The other witness, Smt. Chari examined by the Management admitted that she could do the typing provided the material is given in writing to her. Despite the hardships, the Charged Officer started with the inquires and, therefore, the charge stands not proved.

64. As regards the fifth charge, the Charged Officer submitted that the Management has failed to produce evidence regarding the failure on the part of the Charged Officer to update the Boards in the Chambers of the Managing Director and the Vice-chairperson. He has submitted that the Management witness, Shri. Bhat stated that normally the Boards were got updated every month. The other witnesses examined by the Charged Officer also corroborated that as and when they attended the meeting, they noticed the changes in the Board displayed in the Chamber of the Managing Director.

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The Charged Officer submitted that it is not the personal duty of the Statistical Officer to update the Board but CLDCs working in the Statistical Section used to enter the data and update the Board. The remarks of the Managing Director regarding the falling revenue has no concern with the Statistical Section. The said remarks were posterial as the Charged Officer was suspended on 25.10.1997. The Charged Officer also pointed out that the information in respect of October, 1997 can be compiled and updated only after 20.11.1997. The information period for the purpose of the Board is from 1.10.1997 to 31.10.1997. The Charged Officer was suspended on 25.10.1997 and therefore, the remarks of the Managing Director were premature as the Board could not be updated before the due date. The Charged Officer further submitted that the Board of October, 1997 was compiled by the Management witness, Shri. Bhat and if any mistake at all existed in the Board, it was the fault of the Management witness, Shri. Bhat. The Charged Officer contended that inspite of repeated reminders and follow up, the information was not received from the Depots and the compilation of the work was held up. Hence, this charge is also not proved.

65. In respect of sixth charge, the Charged Officer contended that the Reports for the years 1994-95 and 1995-96 were submitted to the Central as well as to the State Governments. The Reports for the years 1994-95 and 1995-96 were due on 30.3.1995 and 30.3.1996, respectively, and they were due in June, 1995 and June, 1996, respectively. The Charged Officer admitted that reminder letters dated 7.4.1996, 15.4.1996, 15.7.1996 and 22.7.1996 were received. However, the whole episode had taken place before the forenoon of 6.12.1996 with which the Charged Officer has no concern. The N.S.S. Return for the year 1996-97 was due on 30.6.1997 but could not be compiled due to non-compilation of earlier Reports for the years

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1994-95 and 1995-96, as they were inter-related through the opening and closing balances. The Charged Officer submitted that the action, if any, ought to have been initiated against his predecessor, Shri. Bhat as the Charged Officer took charge in the afternoon of 6.12.1996. As regards the letter dated 15.10.1997 from the Directorate of Transport, the Charged Officer submitted that the same was never put up to him till he was suspended on 25.10.1997. Hence, this charge also stands not proved.

**FINDINGS**

66. I have gone through the Memorandum of Article of Charges, explanation dated 11.11.1997 submitted by the Charged Officer, perused the documents as well as the oral evidence led by the Management as well as by the Charged Officer. I have also considered the written briefs submitted by the Presenting Officer and the Defence Assistant of the Charged Officer. My findings on each charge are as follows: -

67. I will first deal with the preliminary objections raised by the Charged Officer that the Charged Officer is not governed by the C.C.S. (C.C.A.) Rules, 1965 and that the very inquiry is vitiated. The Presenting Officer submitted that this Authority is not concerned with the C.C.S. (C.C.A.) Rules, 1965 as the role of this Authority is limited to the extent of finding out as to whether the charges levelled against the Charged Officer stand proved or not, based on the evidence led by the Management and the Charged Officer.

68. I agree with the Presenting Officer that the Inquiring Authority cannot look into the legality of the orders issued by the Disciplinary Authority. As rightly pointed out by the Presenting Officer, the Inquiring Authority has to give his findings based on the evidence on record whether the charges

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levelled against the Charged Officer have been proved or not. Hence, I overrule the preliminary objection raised by the Charged Officer.

69. Coming now to the first charge, in support thereof, the Management has produced the documents at Exhibit A-1 colly. These documents are letter dated 5.4.1997 from M/s. Chowgule Industries Ltd and letter dated 5.5.1997 from M/s. Sai Services Station Ltd. In the letter dated 5.4.1997 of M/s. Chowgule Industries Ltd. addressed to Shri. Ian D'Costa, Managing Director of the Corporation, it has been informed that 5 Maruti vehicles were booked by Shri. Mahesh P. Kamat and all the vehicles have been delivered to the customer. In the letter dated 5.5.1997 of M/s. Sai Services Station Ltd., it has been stated that 8 Maruti vehicles were booked by Shri. Mahesh P. Kamat for the period from January, 1994 till 31.3.1997. The other documents are Order Booking Forms in the name of Shri. Mahesh P. Kamat with different addresses. M/s. Chowgule Industries Ltd. had also written a letter dated 15.1.1998 to Shri. P. S. Reddy, Managing Director of the Corporation forwarding a list of Maruti vehicles booked by Shri. Mahesh P. Kamat as well as photo copies of the Booking Forms. A xerox copy of the Driving License of Shri. Mahesh P. Kamat and Docket Sheet were also forwarded by M/s. Sai Services Station Ltd. vide their letter dated 17.1.1998.

70. The witness of the Management, namely Shri. Bhat in his deposition submitted that he obtained these documents from M/s. Sai Services Station Ltd. and M/s. Chowgule Industries Ltd. under the instructions of the Managing Director. These documents have been exhibited through this witness. The contention of the Charged Officer is that the xerox copies of the documents produced by the Management cannot be accepted in evidence as no originals were produced. That apart, no witness from M/s. Sai Services Station Ltd. or M/s. Chowgule Industries Ltd. was examined by the

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Management, inasmuch as, the Charged Officer denied that the name mentioned in the Booking Order Forms is not that of him and the signatures on the same are also not his. I agree with the Charged Officer that before accepting the xerox copies, the Management could have obtained the originals and on comparing with the originals, the xerox copies could have been exhibited. The charge against the Charged Officer is that he was directly or indirectly involved and/or engaged in acquisition and/or disposal of the vehicles without the prior approval of the Departmental Head. M/s. Chowgule Industries Ltd. vide their letter dated 5.4.1997 have stated that they have already delivered the vehicles to the customer. If these 5 vehicles were delivered to the customer, the same ought to have been registered with the Regional Transport Authority. The Management has failed to produce any documentary evidence that these vehicles were purchased by Shri. Mahesh P. Kamat. These documents could have been very much relevant to sustain the charge as it contains various particulars of the owner and no vehicle is registered with the Regional Transport Authority unless the person purchasing it produce either the Ration Card or Residence Certificate. The identity of the owner could have been established if the registration documents were obtained from the Regional Transport Authority.

71. The Charged Officer has denied his signatures and stated that he is not the same person, as mentioned in those documents. Therefore, the Management ought to have referred his signatures to the expert and got verified as to whether the signatures on those documents at Exhibit A-1 colly were that of the Charged Officer. The most important document which the Management has failed to produce to prove the charge is examination of signatories to the letters issued by M/s. Chowgule Industries Ltd. and M/s. Sai Services Station Ltd. This was necessary when the Charged Officer had

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Shri. Kuncollenkar in his deposition stated that the Charged Officer did not attend the Office on 25.10.1997 till 10.15 a.m. The said witness has confirmed the Memo dated 25.10.1997 issued to the Charged Officer (Exhibit A-5). By the said Memo, the Charged Officer was directed to show cause as to why disciplinary action should not be taken against him for the misconduct, as he did not report for his duties till 10.15 a.m. on 25.10.1997, although he was warned severally for coming late for duties. Exhibit A-4 is the Warning dated 28.8.1997 issued to the Charged Officer whereby the Charged Officer was informed that his explanation dated 26.8.1997 was found not satisfactory and he was warned to be more punctual in his duties. Exhibit A-3 is the Memorandum dated 26.8.1997 issued to the Charged Officer by the Managing Director stating that he did not report for duties on 26.8.1997 till 10.30 a.m. Hence, explanation was sought from the Charged Officer.


73. In defence, the Charged Officer has produced the Joining Report at Exhibit D-1. As can be seen from the said Joining Report, the Charged Officer joined the duties on 4.12.1996 after availing the leave from 31.10.1996 to 2.12.1996. Exhibit D-5 colly are the copies of the Orders dated 1.11.1996 and 12.11.1996 wherefrom it is seen that the Charged Officer was sanctioned leave from 31.10.1996 to 2.12.1996 while he was Deputy Financial Controller. Exhibit DW4-1 is the copy of Certificate of Transfer of Charge. However, the same does not contain the date. The Joining Report of the Charged Officer is at Exhibit D-2 wherefrom it is seen that the Charged Officer joined his duties in the Statistical Section in the afternoon of 6.12.1996. Thus, it is clear that the Charged Officer joined as a Statistical Officer on 6.12.1996 in the afternoon. It is also pertinent to note that the first charge contains the statement that the Charged Officer functioned as Deputy Financial Controller till 6.12.1996. The period mentioned in charges second

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and third is not in conformity with the period specified in the first charge. The Charged Officer has denied that he was warned by the Management for reporting late. As regards the Warning dated 28.8.1997, the Charged Officer has stated that the same was not served on him and as regards the Memorandum dated 26.8.1997, the same was issued under the standing orders which are not applicable to him. As regards the specific allegations that the Charged Officer did not report his duties on 25.10.1997 till 10.15 a.m., the Charged Officer has denied the same. The Charged Officer has not denied of having received the Memorandum dated 26.8.1997. As can be seen from the said Memorandum, the Charged Officer did not report till 10.30 a.m. on 26.8.1997. The Charged Officer is silent as regards to the Memo dated 25.10.1997. In the statement of defence, the Charged Officer submitted that, only once his attention was drawn about the late coming which he had duly replied. He has denied that he attended the Office on 25.10.1997 at 10.15 a.m. In the examination in chief, the witness examined by the Charged Officer, Shri. Mario Ataide, Research Assistant, has stated that when he reported the office at 9.50 a.m. on 25.10.1997, the Charged Officer was available in the Office and that the said witness took his permission to take his childrens to the Doctor.

74. Thus, it is clear from the evidence brought on record that the Charged Officer was not the Statistical Officer for the period from 7.11.1996 to 6.12.1996. Therefore, the second charge also includes the period during which the Charged Officer was on leave. It has come on record that the Charged Officer reported for his duties on expiry of leave on 4.12.1996 and took over the charge of the Statistical Officer on 6.12.1996 in the afternoon and, therefore, the Charged Officer did not function as Statistical Officer till 5.12.1996. Hence, the second charge suffers from infirmities. There is a





specific charge that the Charged Officer did not attend the Office on 25.10.1997 till 10.15 a.m. and the Memo dated 25.10.1997 was issued to him which has been denied by the Charged Officer. The Charged Officer himself has admitted that he attended the Office once late. The Charged Officer also admitted that he has received the Memorandum dated 26.8.1997, but, stated that the same was issued under the standing instructions. Except for one instance, the Management has failed to establish that the Charged Officer was warned on several occasions for coming late to Office. Therefore, the second charge stands not proved.

75. The third charge levelled against the Charged Officer is that while functioning as the Statistical Officer for the period from 7.11.1996 to 25.10.1997, failed to keep proper control over the staff working under him in respect of their attendance and punctuality and also failed to check the Muster Roll promptly on day-to-day basis of the staff, resulting in total failure to keep bonafide attendance of the staff under him. I have already discussed in the preceding paras that the Charged Officer was on leave from 31.10.1996 to 2.12.1996. He reported for his duties on 4.12.1996 and took over as Statistical Officer in the afternoon of 6.12.1996. The charge has included the period during which the Charged Officer was on leave as Deputy Financial Controller. Thus, this charge also suffers from infirmities. In support of this charge, the Management has produced the copy of the Circular dated 22.8.1995 at Exhibit A-7. The said Circular was in respect of the office staff of the Head Office as regards to the punctuality in attendance. Exhibit A-7 is the Memo dated 26.8.1997 whereby the attention of Shri. Anil P. Naik, CLDC, working in the Statistical Section was drawn that the Managing

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Director found that Shri. Naik did not report for duty till 10.20 a.m. on 26.8.1997 and hence, he was directed to explain as to why action should not be taken against him for late coming.

76. The third charge levelled against the C.O. is that while functioning as the Statistical Officer for the period from 07.11.96 to 25.10.97 failed to take proper control over the staff working under him in respect of their attendance and punctuality. And also failed to check the Muster Roll promptly on day to day basis of the staff resulting in total failure to keep bonafide attendance of the staff under him. I have already discussed in the preceding paras that the C.O. was on leave from 31.10.1996 to 02.12.1996. He reported his duties on 04.12.1996 and took over as Statistical officer in the afternoon of 06.12.1996. The charge has included the period during which the Chief Officer was on leave as Deputy Financial Controller. Thus , this charge also suffers from infirmities. In support of this charge, the management has produced the copy of the circular dated 22.08.1995 at Exhibit A-7. The said circular was in respect of the office staffs of the Head Office as regards to the punctuality in attendance. Exhibit A-7 is the memo dated 26.08.1997 whereby the attention of Shri. Anil P. Naik, C.L.D.C. working in the statistical Section was drawn that the Managing Director found that Shri. Naik did not report for duty till 10.20 a.m. on 26.08.1997 and hence he was directed to explain as to why action should not be taken against him for late coming. The copy of the said memo was endorsed to the Statistical Officer with the direction that no leave of any type should be sanctioned till further hearing from the Personal Officers. In support of this charge, another document at Exhibit A-8 that is memo dated 26.08.1997 has been produced which was issued to Shri. Budho Gaude, C.L.D.C. that Shri. Budho Gaude did not report for duty till 10.20 a.m. on 26.08.1997 and therefore, he was also directed to explain as to

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why action should not be taken against him for late coming and copy of the said memo was endorsed to the Statistical Officer with the similar direction. Both these memos have been signed by the Personal Officers by order dated 02.09.1997 at exhibit A-9. Shri. A. P. Naik was informed that his explanation dated 26.08.1997 was not found satisfactory and therefore, he is late coming on 26.08.1997 was treated as half day Casual Leave and he was warned to be very punctual in his duty. Similar order at exhibit A-10 was also issued to Shri. Budho Gaude treating his late coming as half day casual leave on 26.08.1997. The warning dated 04.11.1997 at Exhibit A-11 was issued to Shri. Anil P. Naik, C.L.D.C. informing that his explanation dated 25.10.1997 was found far from satisfactory and, therefore, he was warned to be very careful in future in signing the Muster Roll. Exhibit A-12 is a Xerox copy of attendance roll of September, 1997 of Shri. Mario J. Ataide, Research Assistant, wherefrom it is seen that Shri. Mario Ataide has not signed the attendance roll from 26.09.1997 afternoon onwards. Exhibit A-14 and 15 are the extract of attendance roll of Shri. Ataide, Research Assistant for the month of December, 1996 and January, 1997 showing that Shri. Ataide has signed the attendance rolls for these months.

77. The Charged officers in defence has produced the letter dated 25.10.1997 issued by Research Assistant Shri. Mario Ataide, wherein he has stated that he reported his duties on 25.10.1997 in time but had to move out due to the fact that cleaning of the office was in progress and he wanted to take his twin daughters to the doctors and, therefore, he went to the bus stand to hire a three wheeler.

78. As regards the signing of the muster Roll, Shri. Ataide stated that after his upgradation to the post of Research Assistant in October, 1993, he

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discontinued of signing muster roll, the C.O. has also produced an extract of the attendance register of a certain period of 1995 to prove that on certain occasions some of the staff members were put cross mark. The management witness, Shri. Anil Naik, in his deposition has stated that the then M.D., Brigadier Ian D'Costa checked the Muster Roll of the Statistical Section and marked absent for those who did not report in time. The Witness stated that he was also marked absent for coming late and he was asked to give casual leave. The witness also admitted that he was given warning for coming late in the office. The witness also deposed that the Muster Roll was controlled by the departmental head and he was given warning by the Personnel Officer since the Head of Department failed to check the Muster Roll. In the cross examination, Shri. Anil Naik has stated that the surprise check of Muster Roll was carried out atleast once and that he was coming on time to the office. No late muster roll is kept in the Department.

79. Thus, it will be seen that C.L.D.C. Shri. Anil Naik who was working under C.O. himself has deposed that he was warned by the Personal Officer since the C.O. has failed to check the muster roll. It has come in records through the witness of the management Shri. S.H. Bhat that while he was working as S.O., he was not countersigning or initialing the muster roll of day-to-day basis. Though, Shri. Anil Naik in his Chief has stated that he was warned and directed to apply for the casual leave, in the cross examination, this witness has stated that he was coming in time to office. The Charged Officer in his written briefs has submitted that if the Statistical Section is the controlling officer, in that case how the Personal Officer had issued memos to the staff working in the Statistical section. The Charged Officer also submitted that the attendance for the month of October, 1997 was compiled and submitted, by the management witness Shri. Bhat after the suspension

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of Charged Officer on 25.10.1997 and, therefore, the action what to have been taken against management witness Shri. Bhat and not against Charged Officer. The other management witness Shri. Kuncolienkar in his evidence has also stated that it is not necessary that the Sectional Head should undertake the checking of muster roll everyday. Besides, the Research Assistant has also deposed that no Statistical Officers had countersigned the attendance register daily. Apart from the memos at Exhibit A-7, A-8, A-10, A-11 which pertains to the late coming on 26.08.1997 by Shri. Anil P. Naik and Shri. Budho Gaude, C.L.D.s and on 25.10.1997 by Shri. Anil P. Naik, the management has not produced more evidence to establish that the staff working in the Statistical section were repeatedly attending the office late. Besides the late coming on 26.08.1997 of both Anil P. Naik and Budho Gaude were treated as half day casual leave. As regards not signing of the muster roll, the Exhibit-12, 13,14 and 15 show that Shri. Ataide had signed the attendance roll for September, 1997 till 26<sup>th</sup> (morning) did not signed in October, 1997, signed the attendance of December, 1996 and also signed the attendance of January, 1997. He was examined by the Charged Officer in defence in which Shri. Ataide has stated that after his elevation to the post of Research Assistant, he was not required to sign the attendance register. The management witness has also confirmed that the Research Assistant was not signing the attendance register. However, from the Exhibit at A-12, A-14 and A-15, it is seen that Shri. Ataide was signing the attendance register. If he has discontinued the signing of the muster roll from the year 1993, there was no question of him signing the attendance register subsequently for some period during the year 1996 and 1997. Either the witness has to sign the muster roll or he should not sign at all the same, but he cannot allowed to sign the muster roll for some period and discontinuing it for some period. Thus, it will be seen that except for 2-3 occasions where the

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memos have been served on C.L.D.C.s for coming late and subsequently regularizing late coming as half day casual leave cannot be construed that the C.O. has failed to take proper control towards the attendance and punctuality of the staff working under him. The management has failed to prove that there was a total failure on the part of the C.O. to keep bonafide attendance of the staff under him. The management has not proved that there has been persistent default on the part of the subordinate staff in attending the duties. Hence, this charge also stands as not proved.

80. Coming now to the 4<sup>th</sup> charge, the Exhibit-A-16, A-17, A-18, A-19 and A-20 are the orders issued by the General Manager appointing the C.O. as Inquiring Officer to enquire into the charges levelled against the persons specified therein. In all these five cases, C.O. was directed to submit his report within a period of one month. Out of these 5 orders, 2 orders are dated 01.01.1997, 1 order is dated 03.01.1997, one order is dated 04.01.1997 and one order is dated 08.01.1997. The Exhibit A-21 is the note dated 23.09.1997 issued by the Managing Director to the C.O. directing him to inform the present status of the cases. The management had also relied upon the minutes of the meeting of the officers held on 18.08.1997, wherein it has been recorded that many Inquiry Officers have not yet started the departmental inquiries allotted to them and, therefore, he directed to start the same immediately and complete them within 3 months. Inquiry Officers were also advised not to fix the inquiry during their leave period and they should submit the report on the progress every month. A copy of the minutes of the meeting of the Inquiry Officers and Presenting Officers held on 22.10.1997 has also been relied upon by the management which is at Exhibit A-23, wherein it has been recorded that the Managing Director was not satisfied with the ways the inquiries were going on and it was pointed out that more



than 270 inquiries were pending. He instructed that major cases should be completed within 3 months and the cases of suspended employees should be fixed on day-to-day basis and completed on priority. In the said minutes, it has also been recorded that some officers express their inability to complete the inquiries due to non-availability of typists to which the M.D. had stated that all CLDs, UDCs and Stenographers are supposed to type and if they do not type, action should be taken against them. M.D., therefore, advised all the Inquiry seriously and complete them within 3 months giving any lame excuses.

81. As against this, the Charged Officer has produced various documents in defence. Some of these include notices issued by the C.O. as Inquiry Officers fixing the cases for hearing. All these documents are exhibited at D-5 Colly. It is seen from these documents that the C.O. initiated the action and fix the cases for hearing. Even some of these documents include the copy of the proceedings.

82. The case of the C.O. is that he could not complete the inquiries, as the services of the typist were not made available. The management has examined Smt. P.P. Chari, U.D.C., who states that she never refused any typing work. In the cross, she stated that she was never asked to do any typing work of any inquiry and that she can do the typing work if the material is given in writing. The other witness examined by the management Shri. Anil Naik, CLDC, who has deposed that he has never refused to do any typing work assigned to him by C.O. The C.O. has produced the various documents to establish that the CLDCs, viz., Ms. Maria Cilia Braganza and M. Naik who were doing the typing work in the Statistical section were transferred to other sections and S/Shri. Anil Naik and B. Gaude were not in

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the position of doing the typing work. He has also produced the copy of the order dated 18.08.1997 issued by the Managing Director, wherein he emphasized that the typing with a speed of 30 words per minute is pre-requisite qualification for appointment for the post of CLDC. The C.O. has also produced the result of the typing test of Shri. Anil P. Naik and B. Gaude, which was conducted on 21/05/1998 and 20/03/1998. In support, the C.O. has also relied upon the note dated 06/01/1998 from the personal Officer addressed to Anil P. Naik wherein the attention of Shri. Anil P. Naik was drawn that inspite of the opportunities, he failed in the departmental typing test and, therefore, he was advised to improve his typing ability before the next annual increment was due. This is dated 06.01.1998 which proves the contention of the Charged Officer that Shri. Anil P. Naik had failed in the typing test in the year 1998. The circular dated 28.10.1997 issued by the Deputy General Manager (Traffic) supports the case of the Charged Officers that the CLDCs working in Statistical Section were not acquainted with the typing work. By this circular, the attention was drawn of CLDCs, UDCs and Stenographers stating that they are not doing typing work and the Inquiry Officers have complained that many CLDCs/UDCs do not know to type and, therefore, CLDC, UDCs and Stenographers were directed to do the typing work and failure to do so will attract the disciplinary action. The C.O. vide his note dated 28/05/1997 has also brought to the notice of the Joint M.D. that his Statistical Section is without a typist and as such it was not possible for him to conduct inquiries. He has also made it clear in the said note that if he is provided with the typist, he would see that the inquiries entrusted to him would be completed.

83. I am not discussing with the other documents produced by both the parties as whatever has been discussed by me would be sufficient to derive



the conclusion. The memorandum of charges is dated 03/11/1997. The copy of the minutes of the meeting held on 18/08/1997 at Exhibit A-22 gave the time limit of 3 months to complete the inquiries. Even the minutes of the meeting of the Inquiry Officers and Presenting Officers, the time limit of 3 months was given to all the Inquiry Officers to complete the inquiries. Thus, the Exhibit at 22 and 23 produced by the management show that the action of the management against the C.O. was prematured as the time limit given as per the said minutes was due to expire in January, 1998. It has come on records that the C.O. was suspended on 25/10/1997. Both these documents support the case of C.O. rather than Management. It is also reported in the said minutes that the Managing Director was not satisfied with the ways the inquiries were going on. In the minutes dated 18/08/1997, the Managing Director had observed that many Inquiry Officers have not yet started the departmental inquiries allotted to them. Whereas from the documents produced by the C.O., it is seen that the C.O. had initiated action on the departmental proceedings entrusted to him as the hearings were already fixed. The charge is that the C.O. had initiated action on the departmental proceedings entrusted to him as the hearings were already fixed. The charge is that the C.O. has failed to conduct domestic inquiries entrusted to him. In fact, the C.O. has initiated the action, commenced with the inquiry proceedings by issuing notices, memoranda and, therefore, it cannot be said that the C.O. has failed to conduct domestic inquiries. It could have been said that the C.O. failed to complete the inquiries within the time limit specified in the orders appointing the C.O. as Inquiry Officer.

84. The C.O. has alleged that he had been singled out by the management by giving only one months time limit to complete the inquiries as against the other Inquiry Officers who were given 3 months time. This has been

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collaborated by the witnesses examined by the management as well as by the Charged Officer. The grievance of the Charged Officer was that he could not complete the inquiries within the time limit appears to be genuine, as can be seen from the evidence produced by the C.O. The C.O. has also alleged that he had been singled out and the disciplinary proceedings had been initiated only against him. This is evident from the minutes produced by the management wherein M.D. had observed that many Inquiry Officers did not conduct the domestic inquiries entrusted to them. The management witnesses as well as the C.O.'s witnesses have stated that no disciplinary action has been taken against any Inquiry Officer for not completing the inquiries within the specified time limit. Thus, there is some substance in the contention of the C.O. that he has been discriminated and the action had been taken only against him in the matter of domestic inquiries inspite of genuine reasons given by him.

85. Therefore, I hold that this charge also stands not proved.

86. The Presenting Officer in his written brief submitted that the C.O. himself has admitted that there are boards in the chamber of the M.D. and Vice-Chairperson and the same are required to be updated by his clerk. Thus, the updating of the board is the work of the Statistical Section. The documents which are already on record with the remark of the Managing Director like "update notice board" etc. clearly indicated that the boards were not being updated by the Statistical Section. On the other hand, the C.O. in his written brief submitted that the management has failed to lead any evidence in support of this charge. According to the C.O., the board contains statistical information and the management has not pin-pointed any particular month for which the boards were not updated. The management witness,



Shri. Bhat, in his deposition has stated that normally the boards are updated and kept. The witnesses examined by the C.O. have also stated that as and when they attended the meeting in the chamber of M.D., they noticed the changes of figures on the boards. The management witness, Shri. Bhat had clarified that Ms. Braganza and some other CLDCs were making entries on the board. The remark of the M.D. is dated 28/10/1997 whereas the C.O. was suspended on 25/10/1997 and, therefore, there are no relevance of the remarks as far as the C.O. is concerned. Exhibit A-9 Colly are the Xerox copies of the extract wherein certain remarks are recorded as "update board" and the initial is dated 24/9. Another remark is dated 24/10 wherein it has been stated, inter- alia, that the mistake should be rectified. Other remarks are dated 31/10 wherein it has been observed that inspite of reminders, the board is not updated by the S.O. nor by R.A. As rightly pointed out by the C.O. that the remarks dated 24/10 and 31/10 ought to have been compiled by his successor as C.O. was already placed under suspension w.e.f. 25/10/1997. It has come on record that the boards displayed in the chamber of M.D. and Vice Chairperson are required to be updated monthly. For this purpose, the information is required to be collected from various depots and workshop. The C.O. contended that the Statistical Section was not receiving the information from the depots timely and in support thereof he has relied upon the minutes of the officers meeting held on 13/05/97. As can be seen from the said minutes at item 8 that the M.D. had observed that the relevant information and reports required by the Statistical Section must be supplied in time. This shows that the information and the reports were not submitted by the other units in time. The C.O. vide his note dated 17/03/1997 also brought to the notice of the Joint M.D. that the files put up by the Statistical Section are not received back inspite of repetitive inquiries and follow-ups which may cause delay in submission due to misplacement of files. In the minutes of the



meeting of the officers held on 15/10/1997, the Research Assistant had also pointed out that the information of breakdown and other information are not received in time and, therefore, all the Sectional Heads were instructed to furnish the information required by that section timely. Thus, it will be seen that the information from the Sectional Heads was not received in time by the Statistical Section so as to update the information on the boards displayed in the chamber of M.D. and Vice Chairperson.

87. The charge levelled against the C.O. is that that he failed to discharge his duties to update the statistical board placed in the chamber of M.D. and Vice Chairperson. The management witness has stated that the boards are to be updated every month. This charge is very vague. It does not specifically state from which period to which period the boards are not updated. The remarks dated 24/10 and 31/10 were required to be compiled by the Research Assistant or the Statistical Officer who succeeded C.O. after his suspension. Since the charge does not specifically mention the period during which the boards were not updated, it becomes difficult for the C.O. to rebut the allegations. The evidence which has come on record show that the timely information was not received and the boards were updated by CLDCs as per the management witness. The remarks dated 31/10 itself shows that the boards were not updated by S.O. nor R.A. Thus, it is not clear whether the updating of boards was done by S.O. or by R.A. In the absence of the relevant data from the Sectional Heads, it is quite possible that the Statistical Section has not updated the boards. The issue was discussed in the officers meeting as can be seen from the minutes and, therefore, the same cannot be attributed to the Statistical Section. The management was well aware that the Sectional Heads were not submitting the information and the data and the fifth charge stands not proved.



88. Coming now to the last charge, it is an admitted position that there was a delay in submitting the report to the Central Government as well as to the State Government. In the written brief, the Presenting Officer submitted that the C.O. did not bring anything to show that he had called the information and in spite of reminders, he did not receive the same. The documents produced by the management indicate that the C.O. failed to submit the report to the State Government and the Central Government. On the other hand, the C.O. submitted that the management has failed to produce any evidence to establish this charge. The contention of C.O. is that the report for the year 1994-95 and 1995-96 were due in June, 1995 and June, 1996 respectively, whereas the C.O. took over as S.O. on 06/10/1996, that is, much after the due date and, therefore, his predecessor was responsible for not submitting the report to the Central Government. The management has produced the letter dated 04/04/1997 inviting the attention of the General Manager to the earlier correspondence in not furnishing the required information. Another letter is dated 08/09/1997 addressed to the M.D. by name wherein it was stated that though the report was due in August, 1997, the same has not been furnished. A notice dated 25/11/1997 was also addressed to Managing Director by name inviting his attention to the relevant provisions of the collections of Statistic Act, 1953 and stating that the annual survey of industries returns for the year 1996-97 is also exhibited wherein it was requested to furnish the information by 25/03/97 inviting to the earlier reference dated 15/07/1996, 22/07/1996 and 07/10/1996.

89. Thus, from the documents produced by the management, it is seen that the earlier returns for the year 1995-96 were also not submitted and the reminders were also received during the predecessor of C.O. and



subsequently during the tenure of C.O. The contention of the C.O. is that due to the non-submission of the earlier returns, the returns for the subsequent years could not be compiled and submitted to the Central Government. In the note dated 17/03/1997, the C.O. pointed out to the Joint M.D. that number of files on D.V.P. and earnings are not traceable which were submitted to the higher authorities. The another note at Exhibit D-4 Colly is also on the same subject. This note clearly emphasizes that the Statistical Department has been making continuous efforts to collect the data from the depots at Margao, Porvorim, Panaji, Vasco and central workshop, but the same was not received. The matter was also taken up personally at every level including the meetings and unless these Sectional Heads cooperate in furnishing the information, it would not be possible to complete and submit the returns to the Government of India. The C.O. has also produced the copy of the letter dated 15/04/1996 from the National Sample Survey Organisation requesting to furnish the returns for the year 1994-95 before April, 1996. There are notes at Exhibit-7 Colly which shows that the timely reports were not received from the Sectional Head. The note dated 23/06/1997 was addressed to Deputy G.M. (Traffic) and the note dated 19/08/1997 was marked to Deputy F.C. Xerox copy of the notings from the file have also been produced where from it is seen that the information from the various units were not received by the Statistical Section. The C.O. has explained the reasons for not putting up the information in respect of the returns to be submitted to the Central Government. The C.O. also submitted that due to non-submission of the previous report, the subsequent report could not be furnished because of opening and closing balance which required to be reflected in annual report. The letter dated 15/10/1997 from the Directorate of Transport was not shown to him till the C.O. was suspended and the matter pertains to the period of 1993-94 with which C.O.



was not at all concerned. Thus, from the evidence brought on record, both documentary and oral, it is clear that the returns for the year 1995-96 to be submitted to the Government of India was due much before the C.O. took over as S.O. As the earlier returns for the year 1994-95 was not furnished, the subsequent report could not be compiled as it has a relation with the closing balance of the report for the year 1994-95. It has also come on record that the Sectional Heads of various units were not furnishing the information and data in time which has consequently delayed in compiling the information and, therefore, the C.O. alone could not be held responsible for such a delay. Hence, I hold that this charge also stands not proved.

~~(G. G. KAMBLI)~~  
INQUIRY OFFICER

Panaji, Goa.

Dated: 4th April, 2003.



494

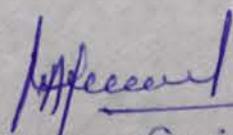
No.KTC/PERS/7/2003-2004/1653  
Kadamba Transport Corpn.Ltd.,  
Panaji-Goa.

Date: 6.10.2003

O R D E R

Annual Increment of Shri Mahesh P.Kamat,  
Officer on Special Duty/Personnel Manager,  
Emp.Code No.0009 is hereby released as detailed  
below:

Salary drawn	Increment W.E.F. 1.9.2003	Salary after release of increment
Rs.12,275/-	Rs.325/-	Rs.12,600/-

  
( M.P. KAMAT )  
Personnel Manager

To,  
The Asst.Financial Controller,  
K.T.C.L., Panaji.

Copy to: 1. Admn. Dept.,  
2. Pers. file.  
3. O/C. 4. G/F.



560

493

From: Shri M. P. Kamat  
KTCL, Panaji.

Date: 3-3-2003.

8909  
3/31/2003

Sub: Joining Report.

Ref: No: KTC/ADMN/1-2/2002-03/118 dtd. 27-2-2003.

With reference to the above, I am reporting my joining as Personnel Manager, from the morning of 3rd day of March of the year 2003.

( M. P. Kamat )  
Personnel Manager

To,  
The Managing Director,  
KTCL.

c.c. to:

1. Asstt. Fin. Controller, KTCL,
2. Personnel Officer, KTCL.

87. nli  
7  
To all (and)

5/3/03

5/3/03

5/3/03

5/3/03

5/3/03



492  
No. KTC/ADM/1-2/2002-2003/110  
Kadamba Transport Corpn. Ltd.,  
Panaji-Goa.

Dated: 27.2.2003

Personnel Department

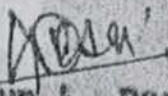
WARD No. 285

DATE: 27/2/2003

O R D E R

Shri M. P. Kamat, Officer on Special Duty is hereby transferred and posted to Personnel Department as Personnel Manager with immediate effect.

Shri M. P. Kamat, Personnel Manager shall continue to hold the charge of the office of the Officer on Special Duty till further orders.

  
(Arun L. Desai)  
Managing Director

To,  
Shri M. P. Kamat,  
Officer on Special Duty,  
K.T.C. Ltd., Panaji.

C.C. to: The Hon'ble Chairman, K.T.C.L.

Copy to: 1. The Personnel Officer,  
2. The Dy. G.M. (Admn)  
3. To All concerned.

✓ Personnel Dept.



563

492

No.KTC/ADMN/1-2/2002-2003/118  
Kadamba Transport Corpn. Ltd.,  
Panaji-Goa.

Dated: 27.2.2003

O R D E R

8858  
27/2/2003

Shri M. P. Kamat, Officer on Special Duty is hereby transferred and posted to Personnel Department as Personnel Manager with immediate effect.

Shri M. P. Kamat, Personnel Manager shall continue to hold the charge of the office of the Officer on Special Duty till further orders.

*Mosai*  
( Arun L. Desai )  
Managing Director

2

To,  
Shri M. P. Kamat,  
Officer on Special Duty,  
K.T.C. Ltd., Panaji.

C.C. to: The Hon'ble Chairman, K.T.C.L.

- Copy to: 1. The Personnel Officer.  
2. The Dy. G.M. (Admn)  
3. To All concerned.



491

No.KTC/PERS/1/02-03/1922  
Kadamba Transport Corpn.Ltd.,  
Panaji-Goa.

Date: 2.11.2002

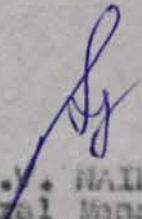
ORDER

Sub: Sanction of Privilege Leave - 11/2002

Ref: No.KTC/PERS/19/2001-2002/1486 dt.5.11.01

Sanction of the Managing Director is hereby conveyed for the grant of Privilege Leave from 6.11.2002 to 16.11.2002 to Shri A.S. Shirvoikar, Personnel Officer.

During his leave period, Shri M.P.Kamat, Officer on Special Duty, shall hold the charge of the Personnel Officer, in addition to his own duties.

  
( S.V. NAIK )  
Dy.General Manager(TR&ADM)

To,

1. Shri ~~xxxxx~~ A.S.Shirvoikar,  
Personnel Officer,  
K.T.C.L., Panaji.
2. Shri M.P. Kamat,  
O.S.D.,  
K.T.C.L., Panaji.

- C c, 1. A.F.C. H.O.  
2. Pers. file.  
3. O/C.



490

No. KTC/PERS/3/2002-2003/ 1259  
Kadamba Transport Corpn, Ltd.,  
Panaji - Goa.,

Date:- 20/9/2002.,

TRANSFER ORDER

Due to Administrative Convenience, Shri. Mahesh P. Kamat, Statistical Officer, is hereby transferred and posted as Officer On Special Duty in Administrative Department with immediate effect.

He should handover the charge of Statistical Department to Shri. Mario Ataide, Research Assistant and should take charge of the post of Officer On Special Duty from 20/9/2002.

*(Signature)*  
( Arun L. Desai )  
MANAGING DIRECTOR

To,

Shri. Mahesh P. Kamat,  
Statistical Officer,  
KTCL, Panaji - Goa.,

Copy to:-

1. Shri. Mario Ataide, Research Assistant, to take the Charge of Statical department accordingly.
2. The A.F.C., Panaji.
3. Shri. A. S. Shirvoikar, O.S.D., for na.,
4. The Dy. G.M. (Trf. & Admn.).,
5. Pers. File.,
6. Statistical Dept.,
7. Admn. Dept.,
8. O/C.,

*(Signature)*  
23/9/02



490

No. KTC/HRD/3/2002-2003/1259  
Kathana Transport Corp., Ltd.,  
Panaji - Goa.

Date:- 20/9/2002.

ADMINISTRATIVE ORDER

Due to Administrative Convenience, Shri. Mahesh P. Kanat, Statistical Officer, is hereby transferred and posted as Officer on Special Duty in Administrative Department with immediate effect.

He should however the charge of Statistical Department to Shri. Mario Ataide, Research Assistant and should take charge of the post of Officer on Special duty from 20/9/2002.

*M. Ataide*  
( Mario L. Ataide )  
MANAGING DIRECTOR

To,  
Shri. Mahesh P. Kanat,  
Statistical Officer,  
KTC, Panaji - Goa.

Copy to:-

1. Shri. Mario Ataide, Research Assistant, to take the charge of statistical department accordingly.
2. The A.P.O., Panaji.
3. Shri. A. M. Shirvalkar, C.S.O., for HRD.
4. The Dy. Sec. (Inf. & Adm.)
5. Gen. File.
6. Statistical Dept.
7. Adm. Dept.
8. O/C.



489

From: M. P. Kamat,  
Officer On Special Duty,  
Kadamba Transport Corporation Ltd  
Panaji-Goa.

3284  
29/9/2002

Date: 23-9-2002.

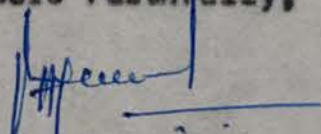
To,  
The Managing Director,  
Kadamba Transport Corporation Ltd.,  
Panaji-Goa.

Sub: Joining Report.

Sir,

With reference to the Transfer Order No: KTC/Pers/3/  
2002-2003/1259 dated 20-9-2002 and as per the directives  
contained therein, I am taking over the charge of the post  
of Officer On Special Duty in the Administrative Department  
from 23-9-2002 Afternoon.

Yours faithfully,

  
( M. P. Kamat )  
Officer On Special Duty

Copy to:

1. Dy. General Manager,
2. Asstt. Fin. Controller,
3. Personnel Officer
4. AE(Civil)
5. Legal Asstt.
6. Divl. Traffic Officer



488

No. KTC/PMS/3/2002-2003/ 1259  
Kadamba Transport Corpn, Ltd.,  
Panaji - Goa.,

Date:- 20/9/2002.,

TRANSFER ORDER

Due to Administrative Convenience, Shri. Mahesh P. Kamat, Statistical Officer, is hereby transferred and posted as Officer on Special Duty in Administrative Department with immediate effect.

He should handover the charge of Statistical Department to Shri. Mario Almeida, Research Assistant and should take charge of the post of Officer on Special duty from 20/9/2002.

*M. B. B. B.*

( Arun L. Boral )  
MANAGING DIRECTOR

To,  
Shri. Mahesh P. Kamat,  
Statistical Officer,  
KTC, Panaji - Goa.

Copy to:-

1. Shri. Mario Almeida, Research Assistant, to take the charge of statistical department accordingly.
2. The A.F.O., Panaji.
3. Shri. A. S. Shirvelkar, O.S.D., for no.
4. The Dy. C.M. (Inf. & Adm.).
5. Pers. File.
6. Statistical Dept.
7. Gen. Dept.
8. O/C.

23/9

23/9

23/9

*Approved*  
23/9

12.50 PM.



487/c

Dated: 2.9.2002

Personnel Department  
INWARD No. 3560

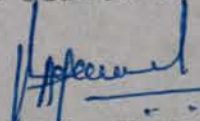
419/2002

Managing Director,  
Kadamba Transport  
Corpn. Ltd.,  
Panjim.

KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 3021  
Date: 2/9

Sir,

This has reference to Order No.KTC/ADMN/1-2/  
2002-2003/61 dated 27.8.02. According to the instruc-  
tions contained therein and in compliance thereof, I  
am communicating my reporting in the office of Statis-  
tical Department.

  
( M.P. Kemat )

C.C : To Personnel Officer  
Asst. Financial Controller  
O.C.

NO  
3/9

PP  
X



486/2

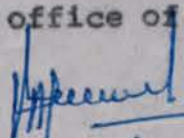
Dated: 2.9.2002

Managing Director,  
Kadamba Transport  
Corpn. Ltd.,  
Panjim.

M. T. S. Ltd.  
Personnel Department  
INWARD No. 3429  
DATE: 21.9.2002

Sir,

This has reference to Order No.KTC/ADMN/1-2/  
2002-2003/61 dated 27.8.02. According to the instruc-  
tions contained therein and in compliance thereof, I  
am communicating my reporting in the office of Statis-  
tical Department.

  
( M.P. Kamat )

C.C : To Personnel Officer  
Asst. Financial Controller  
O.C.



आर.पी. - 54/P-54

भारतीय डाक विभाग  
DEPARTMENT OF POSTS, INDIA

प्राप्ति स्वीकृति / ACKNOWLEDGEMENT

संविष्टी - पत्र / पार्सल प्राप्त हुआ No.KTC/ADMN/1-2/2002-  
Received Registered Letter / Parcel / 2003/61, dt.27.8.02

क्रमांक / No. 16/9 तारीख / Dated 28/08/02 का / of

\* बीमे का मूल्य रूपयों में

\* Insured for Rupees

Shri. Mahesh P. Kamat,

जाने वाले

Flat No. 2, F-2,

Addressed to

Shivneri, Comba.,

Margaoko / Goa.,

विलोपन डाकघर की तारीख-मोहर

Date stamp of office of delivery

हस्ताक्षर और नाम / Signature and Name

अनुपस्थित को काट दिया जाए  
Strike out if not relevant



4851C

*[Handwritten signature]*  
30/8



REGISTERED A/D

48012  
No.KTC/ADMN/1-2/2002-2003/61  
Kadamba Transport Corpn. Ltd.,  
Panaji-Goa.

Dated: 27.8.2002

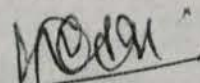
O R D E R

WHEREAS Shri Mahesh P. Kamat, Statistical Officer was placed under suspension vide Order No. KTC/ADMN/1-2/2002-2001/106 dated 24.2.2001.

AND WHEREAS Shri Kamat has been issued with charge-sheets and the enquiry proceedings are in progress.

AND WHEREAS said enquiry proceedings are likely to take considerable time, and that revocation of suspension of the delinquent officer will not hamper Enquiry proceedings.

NOW, THEREFORE, the undersigned in exercise of the powers conferred under Central Civil Services (Classification, Control and Appeal) Rules, 1965 hereby revoke the said order of suspension with immediate effect and order that Shri Mahesh P. Kamat, Statistical Officer should join his duties with immediate effect.

  
( Arun L. Desai )  
MANAGING DIRECTOR

To,  
Shri Mahesh P. Kamat,  
Shivneri,  
Conba, Margao-Goa.

Copy to:-

1. The Dy. G.M.(Trf.&Admn).,
2. The A.F.C., Panaji.,
3. The O.S.D., KTCL, Panaji.,
4. The Research Assistant, KTCL, Panaji.,
5. Pers. File.,
6. O/C.,



REGISTERED A/D

48412  
No.KTC/ADMN/1-2/2002-2003/61  
Kadamba Transport Corpn. Ltd.,  
Panaji-Goa.

Dated: 27.8.2002


O R D E R

WHEREAS Shri Mahesh P. Kamat, Statistical Officer was placed under suspension vide Order No. KTC/ADMN/1-2/2002-2001/106 dated 24.2.2001.

AND WHEREAS Shri Kamat has been issued with charge-sheets and the enquiry proceedings are in progress.

AND WHEREAS said enquiry proceedings are likely to take considerable time, and that revocation of suspension of the delinquent officer will not hamper Enquiry proceedings.

NOW, THEREFORE, the undersigned in exercise of the powers conferred under Central Civil Services (Classification, Control and Appeal) Rules, 1965 hereby revoke the said order of suspension with immediate effect and order that Shri Mahesh P. Kamat, Statistical Officer should join his duties with immediate effect.

  
( Arun L. Desai )  
MANAGING DIRECTOR

To,  
Shri Mahesh P. Kamat,  
Shivneri,  
Comba, Margao-Goa.

Copy to:-

1. The Dy. G.M.(Trf.&Admn)..
2. The A.F.C., Panaji.,
3. The O.S.D., KTCL, Panaji.,
4. The Research Assistant, KTCL, Panaji.,
5. Pers. File.,
6. O/C.,



REGISTERED A/D  
DRAFT

No. KTC/ADMN/1-2/2002-2003/  
Kadamba Transport Corpn, Ltd.,  
Panaji - Goa.,

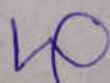
Date:- 27/8/2002.,

ORDER

WHEREAS an order placing Shri. Mahesh P. Kamat, Statistical Officer <sup>was placed under</sup> under suspension was made vide order No. KTC/ADMN/1-2/2000-2001/106, dated 24/2/2001.

~~\*\*~~ NOW, THEREFORE, the undersigned in exercise of the powers conferred ~~by~~ under Central Civil Services (Classification, Control and Appeal) Rules, 1965, hereby ~~revoked~~ the said order of suspension with immediate effect. <sup>an order</sup>

~~that~~ ~~THEREFORE~~, Shri. Mahesh P. Kamat, Statistical Officer should join ~~to~~ his duties immediately. <sup>with immediate effect.</sup>  
~~an Officer in C.M. Duties.~~

  
( A. L. Desai )  
MANAGING DIRECTOR

To,  
Shri. Mahesh P. Kamat,  
Shivneri,  
Comba, Margao - Goa.,

~~\*\*~~ AND WHEREAS <sup>Shri Kamat has been issued</sup> with charge sheets and the enquiry proceedings are in progress.

AND WHEREAS <sup>said enquiry proceedings are</sup> likely to take considerable time, and that <sup>in</sup> ~~the~~ <sup>event of</sup> suspension of the designated officer will not hamper enquiry proceedings.



BEFORE THE JUDICIAL MAGISTRATE FIRST CLASS  
AT MARGAO

Cr. Case No:71/P/98/D

Shri Mahesh P. Kamat

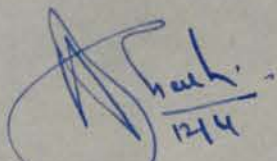
v/s

Shri V.V.S. Kunkolienkar

MAY IT PLEASE YOUR HONOUR

The witness Shri A. B. Bhartu, the Managing Director of Kadamba Transport Corporation state and submit that we have submitted all relevant documents as per the direction of this Hon'ble Court.

The witness further prays that since the above complaint has filed by complainant against the suspected accused which he has suspect to have committed an offence U/S 500 IPC in an individual capacity, with the submission of relevant documents the above witness may be discharged from the liability for appearing before this Hon'ble Court henceforth.

  
( A. B. Bhartu )  
Managing Director  
Witness

Panaji-Goa.

Date: 16/4/2001.



From:-

MBZIC

Shri Mahesh P. Kamat,  
Margao-Goa.

dt. 27.05.02

KADAMBA TRANSPORT CORPORATION LTD.  
Invoice No. 686  
Date: 27/5/2002

To,  
The Managing Director,  
Kadamba Transport Corporation Ltd.,  
Panaji-Goa.

K. T. S. Ltd  
Personnel Department  
INWARD No. 1294  
DATE: 29/5/2002

Sir,

I am writing to confirm our discussion on 29th April 2002  
in your chamber as below:-

I have brought to your notice that Shri V.V.S.Kunkolienakr,  
Dy.G.M.(Tech) attending court while on Sick leave and had brought  
in the court original papers of purchase transaction with M/s.  
Modi Continental Tyres. In reply you stated that, you had no  
objection over use of sick leave for attending the court and said  
documents had been taken with your consent, you expressed no  
objection for providing document if desired by me for my defence  
in court. I also made you aware that in case I join the  
Corporation in future I shall be utilising sick leave for purpose  
other than sickness and that I will be taking some of KTCL empl-  
oyees as witnesses for me in the court while on sick leave,  
you expressed no objection.

Specy

Yours faithfully,

( M. P. Kamat )

P.O.



48012

BEFORE THE JUDICIAL MAGISTRATE FIRST CLASS  
AT MARGAO

Cr. Case No:71/P/98/D

Shri Mahesh P. Kamat

V/S

Shri V.V.S. Kunkolienkar

MAY IT PLEASE YOUR HONOUR

The witness Shri A. B. Bhartu, the Managing Director of Kadamba Transport Corporation state and submit that we have submitted all relevant documents as per the direction of this Hon'ble Court.

The witness further prays that since the above complaint has filed by complainant against the suspected accused which he has suspect to have committed an offence U/S 500 IPC in an individual capacity, with the submission of relevant documents the above witness may be discharged from the liability for appearing before this Hon'ble Court henceforth.

( A. B. Bhartu )  
Managing Director  
Witness

Panaji-Goa.

Date: 16/4/2001.



BEFORE THE JUDICIAL MAGISTRATE FIRST CLASS AT MARGAO

Criminal Case No. 71/P/98/D

Shri M. P. Kamat

V/S

Shri V.V.S. Kunkolienkar

MAY IT PLEASE YOUR HONOUR

As per the direction of this Hon'ble Court we are submitting following documents :-

I N D E X

Sr. No.	Particular	Page nos.
1 )	Suspension order dated 25.10.97 of Shri Mahesh Kamat	A -1 To A - 2
2 )	Copies of memos of Charge Sheet issued to Shri Mahesh Kamat and documents relied on enquiry proceedings.	A - 3 To A 175
3 )	Charge Sheets issued to Shri Mahesh Kamat	A - 176 To 179

Panaji.

Date:- 10/4/2001

( A. S. Shirvoikar )  
On Behalf Of M.D. KTCL.



PANAJI POLICE STATION LTD.  
5801  
2/3/2001

No. PI/PPS/ 382 /2001.  
Panaji Police Station.  
Dated:- 2 /3 /2001.

488/e

To,  
The Manning Director,  
KTC Ltd, Panaji-Goa

Sir, Sub:- Service of Summons/Warrant....  
Please find enclosed hewith 1 Summons/Warrant in  
duplicate received from JMAC mangao in cc no. 211P/98/D  
dated 5/3/2001 at 2:30 hrs, in respect of following person/s.

You are requested to serve/execute the same and duplicate  
copy of the same may be returned in the concerned court.

1. Mr. Ashok Charte.
2. MD, KTC LTD,  
Panaji-Goa

Yours faithfully

Police Inspector  
Panaji Police Station.

Copy submitted to Jmac mangao  
for information.

Shirvekar  
Pl. attend the  
court on 17/3 along with  
details record. Keelto to  
2/3  
PO



Hand  
803

4771E

### SUMMONS TO WITNESS

( See Section 61 and 244 Cr. P. C. )

Judicial Magistrate First Class At Margao  
~~In the Court of the Chief Judicial Magistrate at Margao~~

Forwarded to the P. I. / P. S. I. Panaji  
Police Station for service and return of the  
original to the Court concerned in time.

CRIMINAL CASE No. : 71/P/98/D..

382  
272  
State

Complainant

R 4393

[Signature] V/s.

Chief Judicial Magistrate

Vallabhdas Vishnudas Sinai

Accused

for service

Mr. Ashok Bhartu.

To, The Managing Director, Kadamba Transport Corporation Ltd., Panaji.

PANAJI  
POLICE INSPECTOR

Whereas complaint has been filed before me that the abovenamed accused has ( or is suspected to have ) committed the offence of u/s. 500 IPC and it appears to me that you are likely to give material evidence for the prosecution.

You are hereby summoned to appear before this court on the 5th day of the March 2001 at 2.30 p.m. to testify what you know concerning the matter of the said complaint and not to depart thence without leave of the Court, and you are hereby warned that, if you shall without just excuse neglect or refuse to appear on the said date, a warrant will be issued to compel your attendance.

GIVEN UNDER my hand and the seal of the Court.

This 8th day of February 1999. 2001.

Note: You are hereby requested to bring the following documents:-

- a) Suspension Order dated 25.10.97 of Mahesh Kamat.

Govt. Ptg. Press, Panaji-Goa 926/80,000 - 3/1999

P.T.O.



[Signature]  
( Anura Bale )  
Superintendent  
Head Clerk  
By order of the Court.



b) Copies of Memos & Charge Sheets issued to Mahesh Kamat and documents relied on inquiry proceedings.

c) Charge sheets issued to Mahesh Kamat.

-----X-----



**SUMMONS TO WITNESS**

( See Section 61 and 244 Cr. P. C. )

**Judicial Magistrate First Class At Margao**  
In the Court of the Chief Judicial Magistrate at Margao

4261e

CRIMINAL CASE No. : 71/P/98/D...

382  
22/2  
State

..... Complainant

V/s.

Vallabhdas Vishnudas Sinai

..... Accused

To, **Mr. Ashok Bhartu.**  
The Managing Director, Kadamba Transport Corporation Ltd., Panaji.

Whereas complaint has been filed before me that the abovenamed accused has ( or is suspected to have ) committed the offence of u/s.500IPC and it appears to me that you are likely to give material evidence for the prosecution.

You are hereby summoned to appear before this court on the 5th day of the March 2001 at 2.30 p.m. to testify what you know concerning the matter of the said complaint and not to depart thence without leave of the Court, and you are hereby warned that, if you shall, without just excuse neglect or refuse to appear on the said date, a warrant will be issued to compel your attendance.

GIVEN UNDER my hand and the seal of the Court.

This 6th day of February 1999. 2001.

NOTE: You are hereby requested to bring the following documents:-

- a) suspension order dated 25.10.97 of **Manesh Kamat.**

*Anura Bale*  
( Anura Bale )  
Superintendent  
Head Clerk

By order of the Court.



b) Copies of Memos & Charge Sheets issued to Mahesh Kamat and documents relied on inquiry proceedings.

c) Charge sheets issued to Mahesh Kamat.

-----X-----

R 4283  
5/3



Maste

BEFORE THE JUDICIAL MAGISTRATE FIRST CLASS AT MARGAO

Criminal Case No. 71/P/98/D

Shri M. P. Kamath \_\_\_\_\_  
vs

V. S. Kankabhele \_\_\_\_\_

MAY IT PLEASE YOUR HONOUR

I, Shri Ashok B. Bhartu, the Managing Director of Kadamba Transport Corporation Ltd., hereby appoint and authorise Shri A. S. Shirvoikar, the Personnel Officer of above Corporation to appear, represent, act for me in above matter and to produce the relevant documents on my behalf. I also undertake to confirm and ratify all act done by Shri A. S. Shirvoikar will be binding on me.

Accepted by me

( A. S. Shirvoikar )  
Personnel Officer



( A. B. Bhartu )  
Managing Director

Date: 5-3-2001



copy

From:

Mahesh Kamath,  
Marga - Goa.

Date: 25.2.2002

To,  
The Enquiry Officer,  
Panaji - Goa.

Personnel Department  
INWARD No. 2285  
DATE: 26/2/02

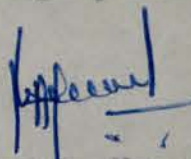
Sir,

I am referring to the proceedings of enquiry dated 22.2.2002. During the course of enquiry I have filed application raising objections about functioning of E.O. and his conduct at the enquiry.

My application filed ~~at~~ on 22.2.2002 showed patent bias on your part ~~while~~ while issuing defective enquiry notices, failure of KICL to produce documents for inspection in addition to other acts earlier pointed ~~and~~ <sup>out</sup> vide letter dated 9.10.2001.


As an independent and impartial enquiry officer you were supposed to act within the provisions of CCA/CCS rules, I have found that you are an absolutely biased E.O. towards me which can be judged from style and conduct of enquiry proceedings. CCS/CCA rules provide that E.O. is duty bound to write a daily Order sheet which should include summary of application filed before E.O. by both parties and thereafter action of E.O. in form of appropriate Order on such application. I am shocked to see what in the daily order sheet dt. 22.2.02 you have without stating any reasons merely and formatikly passed a passing reference to my application and just mentioned "examined and overruled". It is surprising to see that despite P.O. absent without intimation, enquiry is adjourned for the reason that to give chance to C.O. to perform his duties." I am really unable to understand as to what is the chance and performance of duties you are referring to be performed by C.O. for the absence of P.O. This clearly shows that you have lost impartiality and perhaps you are hell bent upon to oblige the management in whatever manner required and demanded by management in return for the professional fees offered to you.

I therefore lodge strong protest to you for the manner in which you are conducting this enquiry with total biased ~~and~~ prejudicial attitude towards me. Hence I request that you should not continue as Enquiry Officer. I am enclosing copy of letter dated 25.2.2002 addressed to Managing Director, KICL for change of Enquiry Officer.

  
( M. P. Kamath )

c.c. to:

- 1. P.O. ✓
- 2. MD, KICL.

  
27/2



431e

From: Mahesh Kamat,  
Margao - Goa.  
Date: 25.2.2002

To,  
The Managing Director,  
KTC Ltd.,  
Panaji - Goa.

PERSONNEL  
INWARD No. 2392  
DATE: 26/2/02

Sub: Change of Enquiry Officer

Sir,

This has a reference to case no. KTC/ADMN/1-2/2000-2001/11 dated 11.4.01 enquired by Shri M.N. Bhartiya. I am registering strong protest before you as regards the conduct of enquiry with total biased and prejudicial attitude towards me and request for change of E.O. in view of facts briefly stated herein below:-

(A) Inspection of documents is not granted by KTCL despite repeated directives by E.O. to P.O. w.e.f. 20.6.01. The E.O. is not in mood to listen to C.O. his difficulty to carry out inspection without provision of such records by KTCL. C.O. is continuously blamed for not conducting inspection so much so that E.O. is on records vide letter dt. 18.1.02 that no further time will be granted for this purpose beyond 31.1.02.

(B) On 17.7.01 C.O. furnished to EO copy of letter dt. 28.6.01 addressed to PO which EO refused to accept. However, on 18.9.01 E.O. states that he has not been provided with copy of the letter dt. 28.6.01 addressed to P.O.

(C) Vide letter dt. 18.1.02, EO fixed enquiry on 4.2.02 without indicating timing and remained absent despite a telegram to EO by CO on which date CO remained ~~absent~~ present for the enquiry full day. E.O. was absent.

(D) Earlier EO fixed enquiry on 4.10.01 and remained absent on that day. C.O. remained present.

(E) Enquiry notice for enquiry dt. 11.2.02 was mailed late and received by C.O. on 12.2.2002 for which C.O. was marked absent. C.O. telegraphed to E.O. who did not respond.

(F) Enquiry fixed on 4.2.02 was called off by notice despatched on 4.2.02 itself with result that C.O. alone remained present on 4.2.02.

  
27/2

.....2/-



4721e

(G) Vide notice dt. 11.2.02, CG is threatened with ex-parte proceedings for absentism, despite the fact that C.O. did not remain absent anytime and that both E.O. & P.O. remained absent twice.

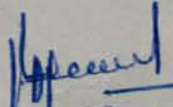
(H) P.O. is not at all questioned for his absentism from enquiry and for non production of records for inspection.

(I) Enquiry dt. 22.2.2002 is adjourned due to absentism of P.O. but surprisingly with directives to C.O. to perform his duties.

(J) Vide daily order sheet dt. 18.9.2001, EO had taken on record certain documents required by C.O. for his defence through P.O. which is absurd.

(K) Vide daily order sheet dt. 4.10.01, EO adjourned the enquiry sine-die without assigning any reasons.

Since the inquiry dt. 22.2.02 is adjourned and rushed to 25.2.02, 23rd & 24th Feb. '02 being non-working days, I am unable to produce documentary evidences. However, I state that copies of various letter have been enclosed to KNDL time to time and if desired will be furnished again. Meantime I request you to change the EO because of his biased conduct of enquiry.

  
( M.S. Kamat )

c.c. to:

1. Enquiry Officer
2. Presenting Officer. ✓







GOA PUBLIC SERVICE COMMISSION

EDC House, Block 'C', Tel. : Off. : 226687  
1st floor, Dada Vaidya Road, 227285  
Panaji - Goa 403 001. 227302

Date : 29th January, 2002.

Ref. No. : COM/SECY/2001

KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 7068  
Date: 30/1

To

Shri Mahesh P. Kamat,  
Charged Officer &  
Statistical Officer,  
Kadamba Transport Corpn. Ltd.,  
PANAJI - GOA.

1. S. M.T.  
Personnel Department  
INWARD No. 6932  
DATE: 1/2/2002

Sub: Enquiry into Charge-sheet No. KTC/ADMN/  
1-2/97-98/205 dated 4.3.1998.

Sir,

With reference to your letter dated 29.1.2002 on the above subject, you are hereby informed that the file in original of the case has been returned to the Disciplinary Authority i.e. Managing Director, Kadamba Transport Corporation Limited, Panaji.

Yours faithfully,

(G. G. KAMBLI)  
Inquiring Authority &  
Secretary, G.P.S.C.

Copy to:-

The Managing Director, Kadamba Transport Corporation Ltd., Panaji, alongwith a copy of the above letter of the Charged officer.



G.701e

From: Mahesh P. Kamat,  
Statistical Officer.

Dated: 29.1.2002.

To,

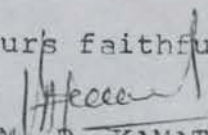
Shri G.G. Kambli,  
Enquiry Officer.

Sir,

Regd: Enquiry into chargesheet No.KTC/ADMN/1-2/  
97-98/205 dated 4.3.'98.

In connection with the above enquiry I am to inform you that no proceedings had been conducted since Nov. 1998. I would like to know the present status of enquiry..

Yours faithfully,

  
( M. P. KAMAT )



KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 7159.  
Date: 25/2

4691e

From:

Mahesh Kamat,  
Margao - Goa.

Date: 25.2.2002

To,  
The Enquiry Officer,  
Panaji - Goa.

RECEIVED  
DATE: 25/2  
28/2/2002

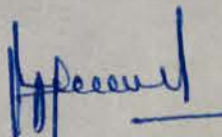
Sir,

I am referring to the proceedings of enquiry dated 22.2.2002. During the course of enquiry I have filed application raising objections about functioning of E.O. and his conduct at the enquiry.

My application filed ~~at~~ on 22.2.2002 showed patent bias on your part ~~while~~ while issuing defective enquiry notices, failure of KTCL to produce documents for inspection in addition to other acts earlier pointed ~~and~~ vide letter dated 9.10.2001.

As an independent and impartial enquiry officer you were supposed to act within the provisions of CCA/CCS rules, I have found that you are an absolutely biased E.O. towards me which can be judged from style and conduct of enquiry proceedings. CCS/CCA rules provide that E.O. is duty bound to write a daily Order sheet which should include summary of application filed before E.O. by both parties and thereafter action of E.O. in form of appropriate Order on such application. I am shocked to see that in the daily order sheet dt. 22.2.02 you have without stating any reasons merely and formatly passed a passing reference to my application and just mentioned "examined and overruled". It is surprising to see that despite P.O. absent without intimation, enquiry is adjourned for the reason that to give chance to C.O. to perform his duties. I am really unable to understand as to what is the chance and performance of duties you are referring to be performed by C.O. for the absence of P.O. This clearly shows that you have lost impartiality and perhaps you are hell bent upon to oblige the management in whatever manner required and demanded by management in return for the professional fees offered to you.

I therefore lodge strong protest to you for the manner in which you are conducting this enquiry with total biased ~~prejudicial~~ prejudicial attitude towards me. Hence I request that you should not continue as Enquiry Officer. I am enclosing copy of letter dated 25.2.2002 addressed to Managing Director, KTCL for change of Enquiry Officer.

  
( M. I. Kamat )

c.c. to:

1. P.O.
2. MD, KTCL. ✓



4681e

No.KTC/PERS/(565)/01-02/ 2660

29.1.2002

To,

Shri G.G.Kambli,  
Enquiry Officer.

Sir,

I am directed to apprech your office in connection with documents submitted by Presenting Officer in enquiry pertaining to Shri Mahesh P.Kamat.

1. Original letter of ~~xxxxxx~~ Sai Service written to M.D. KTCL regarding booking of maruti cars by Mahesh Kamat.
2. Original letter written to M.D.K.T.C.L by Chewgule Industry regarding booking of Maruti cars by Mahesh Kamat.

The above documents receive in connection with criminal case No.71/P/98/D filed by Shri M.P.Kamat against Shri V.V.Sinai subject ~~xxxxxx~~ document will be return after verifying from the heneurable Court.

Thanking you,

Yours faithfully,

( V.D. HARMLAKAR )  
Persennel Officer



u 671  
No.KTC/PERS/(566)/01-02/1074  
Kadamba Transport Corpn.Ltd.,  
Panaji-Goa.

Date: 4.9.2001

NOTE

Ref: No.KTC/PERS/1-2/2001-2002/68 dtd.1.9.2001

With reference to above, we would like to state as under:

1. Document at Sr.No.3 is not available with the Personal Dept.
2. Document at Sr.No.5 i.e. attendance of S.O. of April,2000 is not maintained by the Pers. Dept. However, copy received from the Statistical Dept. xerox copy of the same is placed herewith for reference.
3. Document at Sr.No.6 & 7 i.e. C.C.S. rules are available with Legal Dept. with its resolution approved by them B.O.D., same may be obtained from concerned Dept.
4. Document at Sr.No.11, Personal file of Shri M. P.Kamat, is having 2 Vol. hence specific receipt and reply to Memorandum as alleged and representation file is made available for taking xerox copy for submission by the Pers. Dept.
5. Document at Sr.No.12 that is attendance record of S.O. of Aug.,2000 is not maintained by the Pers. Dept. However, xerox copy of the attendance received by the Pers. Dept. is enclosed herewith for reference.

To,  
P. A. to M.D.,  
c.c.,  
Pers. file, O/C.

*Fluware*  
( T.K. PAWASE )  
Personnel Officer

*MU*  
*12/9/01*



257/2

No.KTC/PERS/(566)/01-02/1074  
Kadamba Transport Corpn.Ltd.,  
Panaji-Goa.

Date: 4.9.2001

NOTE

Ref: No.KTC/WHMS/1-2/2001-2002/68 dtd.1.9.2001

With reference to above, we would like to state as under:

1. Document at Sr.No.3 is not available with the Personal Dept.
2. Document at Sr.No.5 i.e. attendance of S.O. of April,2000 is not maintained by the Pers. Dept. However, copy received from the Statistical Dept. xerox copy of the same is placed herewith for reference.
3. Document at Sr.No.6 & 7 i.e. C.C.S. rules are available with Legal Dept. with its resolution approved by their B.O.D., same may be obtained from concerned Dept.
4. Document at Sr.No.11, Personal file of Shri M. P.Kamat, is having 2 Vol. hence specific receipt and reply to Memorandum as alleged and representation file is made available for taking xerox copy for sub mission by the Pers. Dept.
5. Document at Sr.No.12 that is attendance record of S.O. of Aug.,2000 is not maintained by the Pers. Dept. However, xerox copy of the attendance received by the Pers. Dept. is enclosed herewith for reference .

To,  
P. A. to M.D.,  
c c,  
Pers. file, O/C.

*PAWASE*  
( T.K. PAWASE )  
Personnel Officer



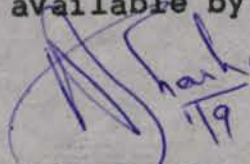
466/c

No.KTC/ADMN/1-2/2001-2002/ 68  
Kadamba Transport Corpn. Ltd.,  
Panaji-Goa.

Dated: 1.9.2001

NOTE

Shri V. D. Harmalkar, Legal Assistance who is the Presenting Officer in the enquiry of Shri M. P. Kamat has submitted a list of documents which are required during the hearing fixed on 6.9.2001. Copy of the list is enclosed. Documents at Sr. No. 3, 5, 6, 7 and 12 & 11 may be made available by Personnel Deptt. and Document at Sr. No. 4 may be made available by Statistical Deptt.

  
( A. B. Bhartu )  
Managing Director

To,

- ✓ 1. The Personnel Officer.
2. The Statistical Officer.



6651C  
56/C

Dated:-28.6.2001.

Regd:-Inspection of Documents.

As per the directives of order sheet dated 27.6.2001, arrangements be made to produce following records for my inspection:-

✓ 1. Govt. order appointing V.V.S.Kunkolienkar as M.D. of KTCL during April 2000. In the absence of such order, the order of any other authority for such appointment with copies of handing over and taking over charge of M.D. to V.V.S.Kunkolienkar and copies of handing over/taking over of charge by Shri V.V.S. Kunkolienkar to S.D.Dessai, resolution by circulation and confirmation by Board if any, item.

✓ 2. Govt. order appointing V.V.S.Kunkolienkar as M.D. of KTCL during August 2000 with following records:

✓ a. Charge handing over by S.D.Dessai to V.V.S.Kunkolienkar, on 1.8.2000.

✓ b. Approval of Chairman of 1.8.2000 for appointment of M.D.

✓ c. Taking over charge of M.D. by S.D.Dessai from V.V.S. Kunkolienkar, August 2000.

✓ d. B.O.D. Resolution of 109th meeting dt. 14.8.2000, item 13.

✓ e. Govt. order of August 2000, appointing S.D.Dessai as M.D., KTCL.

✓ f. Resolution no.41/2000 by circulation.

✓ g. Resolution no.54/2000

✓ 3. File containing letter dt. 5.1.98 and 30.1.98 returned from the Office of secretary Transport with directives contained therein on the basis of which reply note no. 99-2000/2664 dt. 15.7.99 issued by M.D., KTCL.

✓ 4. Statistical records from 9.7.99 to 24.2.2001.

✓ 5. Attendance records of Statistical Officer of April 2000.

✓ 6. Copy of CCS(CCA) rules framed by KTCL, if any.

✓ 7. Extract of conduct rule with Rule no.relevant to allegation of misconduct.

✓ 8. Copy of Articles of Association of KTCL.

✓ 9. Appointment of Appealite authority for officers in cases other than penalties arising out of disciplinary cases.

✓ 10. Physical inspection of Board of M.D., KTCL, in the charge of M.D.

✓ 11. Personnel File of M.F.Kamat to confirm the receipt and reply of memorandum as alleged and representations filed by H.Kamat.

✓ 12. Attendance records of S.O of August 2000.

....2/-..



464/c


No. KTC/PERS/1-2/2001-2002/ 704  
Kadamba Transport Corpn, Ltd.,  
Panaji - Goa.,

Date:- 2.7.2001..

ORDER

Read: 1. Suspension Order No. KTC/ADMN/1-2/  
2000-2001/106, dated, 24.2.2001.  
2. Addendum No. KTC/ADMN/1-2/2001-2002/09,  
dated 10.4.2001.  
-----

Refer to above order and after careful examination,  
it is hereby decided to enhance the subsistence allowance  
of Shri. Mahesh P. Kamat, Statistical Officer from 50% to  
75% with effect from 25.5.2001.

  
( A. B. Bhartu )  
MANAGING DIRECTOR

To,

Shri. Mahesh P. Kamat,  
Flat No. 2, F-2,  
Shivneri, Comba,  
Margao - Goa.,

Copy to:-

1. The A.F.C., Panaji for necessary action.
2. The Personnel Officer for information.
3. Personal File.,
4. O/C.,

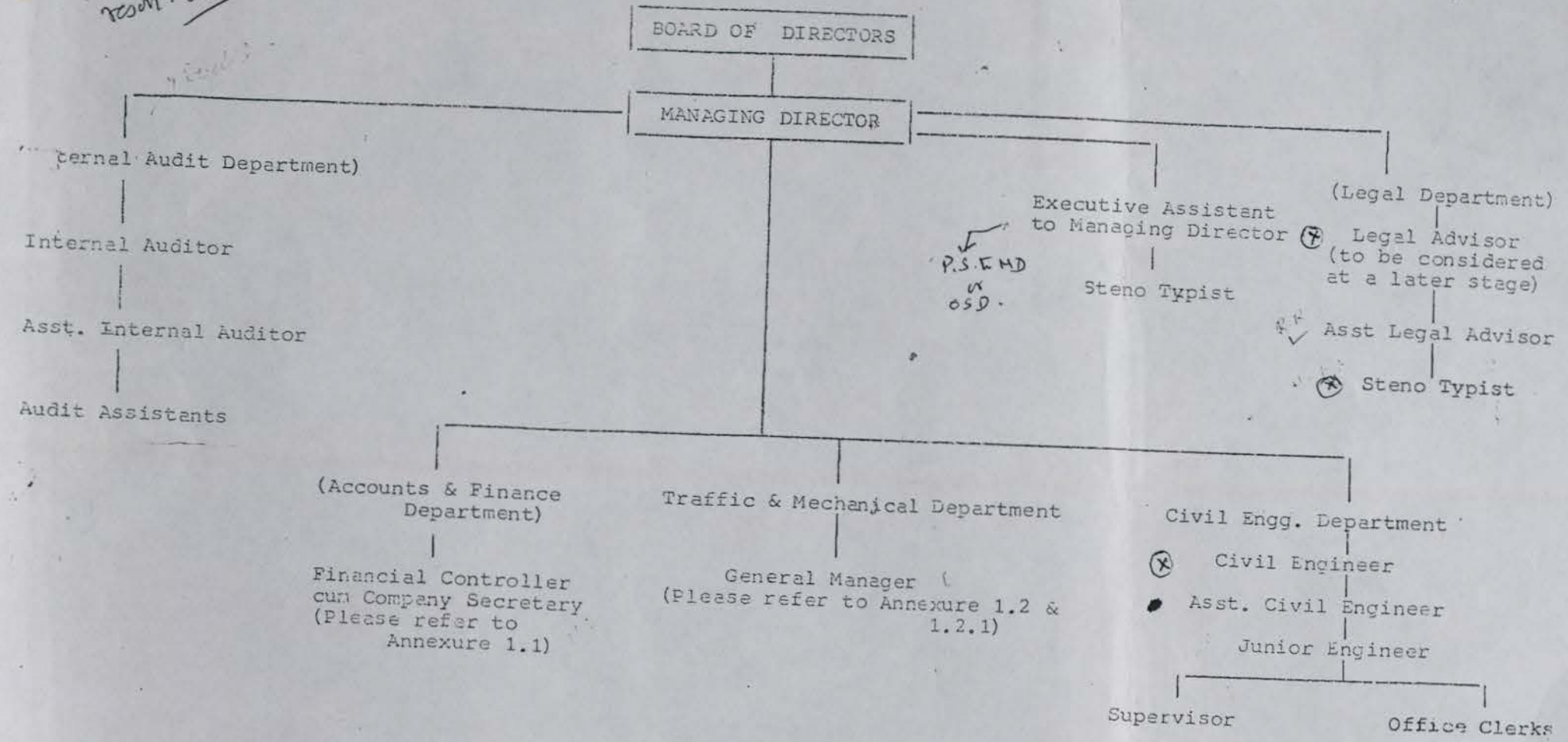


463/C

BoD  
28/6/85  
resol. 348

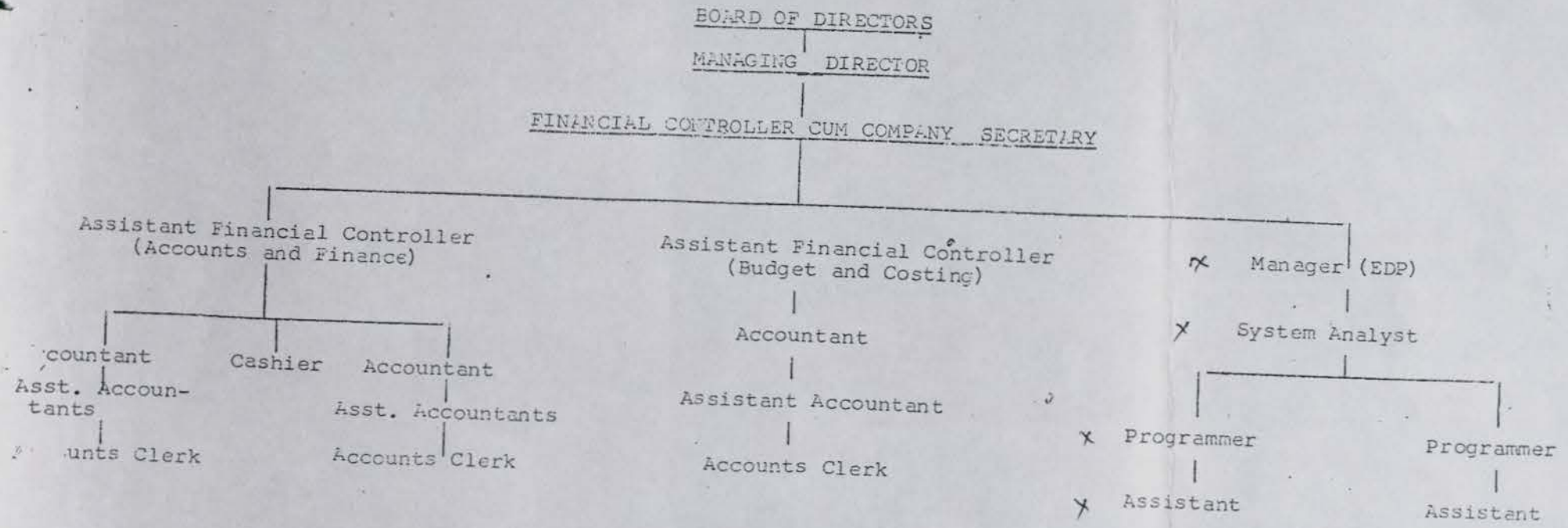
ANNEXURE - 1

KADAMBA TRANSPORT CORPORATION LIMITED  
(ORGANISATION STRUCTURE)





KADAMBA TRANSPORT CORPORATION LIMITED  
ORGANISATION STRUCTURE  
O F  
ACCOUNTS AND FINANCE DEPARTMENT





From:-

Shri Mahesh P. Kamat,  
Dy. Financial Controller,  
KTCL, Panaji-Goa.

Dated:- 23.7.01.

To,  
The Managing Director,  
Kadamba Transport Corporation Ltd.,  
Panaji-Goa.

Sir,

I am to inform you and make you aware that my Substantial post and Designation in the Corporation is Dy. Financial Controller, which designation has been changed as "Statistical Officer" for "Purely functional and temporary" reasons as communicated vide order no. KTC/Pers/03/96-97/2087 dt. 7.11.96. This change in my designation from the post of Dy. Finance Controller to Statistical Officer is in nature of reversion from Grade "A" to Grade "B" post. I had made up a grievance vide letter dt. 17.4.97, despite which the change in designation for purely functional and temporary reasons continues.

It is reliably learnt that Corporation had initiated process for fittment of Shri T.K. Pawase, the holder of substantial post of Asst. Controller of Stores as Dy. Financial Controller. I have reasonable grounds to apprehend the malafides behind management intention to change of designation in order to make room for Shri T.K. Pawase, for his fittment as Dy. Financial Controller. The proposed move of the Corporation, if implemented shall be detrimental to my interest and I will be compelled to raise the grievance before proper legal forum for redressal.

This may be taken as intimation cum notice in that regard.

Yours faithfully,

( M. P. Kamat )

3786  
24/7/01

4621C

A. Y. B. M.

2604  
25/7/01

90

Put up  
25/7



5787  
451/C  
770  
No.KTC/PERS(566)/01-02/~~50~~  
Kadamba Transport Corpn.Ltd.,  
Panaji-Goa.

Date: 11.7.2001

NOTE

With reference to your letter dated 11.7.01,  
I am enclosing herewith the documents in original  
in respect of Shri M.P.Kamat, S.O. for the purpose  
of enquiry from Sl.No. 1 to 4 and 6 & 7. Document  
at SlNo.5 is not available in original with  
Personnel Dept.

The said documents may be returned after  
purpose order.

Encl: as above.

To,  
Miss Margarida Lobo,  
Sr. Stenographer,  
K.T.C.L.,  
Panaji-Goa.

( P. CHARI )  
U.D.C.

*M. Lobo*  
*12/7/2001*



~~STAT~~  
460/e

Office of Managing Director,  
Kadamba Transport Corpn. Ltd.,  
Panaji-Goa.

Dated: 11.7.2001

N O T E

In connection with the enquiry proceedings in respect of Shri M. P. Kamat, Statistical Officer, The Presenting Officer, Shri V. D. Harmalkar has insisted for the following documents in original from Personnel Department.

1. Joining report dated 29.12.97.
2. Letter No.KTC/PERS/27-B(566)/99-2000/2664 by M.D. to Shri Mahesh P. Kamat.
3. KTC/STAT/6- /99-2000/212 dated 13.3.2000
4. Warning dated 24.8.2000 of M.P. Kamat marked to Secretary Transport.
5. Duties assigned to the post of Statistical Officer.
6. Letter of Shri M.P. Kamat dated 22.9.2000.
7. KTC/PERS/4(566)/2000-2001/1124 dt. 21-9-2000

The above documents will remain on the record of Presenting Officer.

*M. Lobo*

To,  
Personnel Dept.,

( M. Lobo )  
Sr. Stenographer

- ① verify above documents from Personnel record of Shri M.P. Kamat.
- ② Available documents may be given under covering note only after taking out 2erox copies of said document.
- ③ file the said 2erox copies in the said file
- ④ follow up for said original document after ten days. Please 11/7.

Mrs Chan

As per P.O's instruction Available documents are forwarded under covering Note No.KTC(Pers)/566/01-02/770 dt. 11.7.01 -

*use*  
12/7/01



655  
10/5

895  
11151200  
459/c

From

From.

Mahesh P. Kamat  
Margao-Goa.

Dt. 10.05.2007

To,  
Managing Director,  
K.T.C. Bus stand,  
Panaji-Goa.

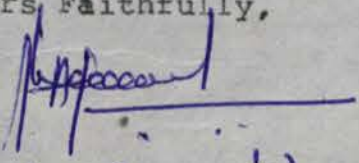
Sir,

Kindly issue me the copies of leave sanction order dated. 1.11.96 & 12.11.96, alternatively a certificate may be issued to the effect that undersigned was sanctioned privilege leave from 31.10.96 to 2.12.96.

The said document is require for the purpose of inquiry.

Yours Faithfully,

(M.P.Kamat)



(M.P.Kamat)

copy  
10/5

90



4. T. C. Ltd.  
Personnel Department  
INW: No. 7253  
DATE: 24/2/2001

449/C  
No: KTC/ADMN/1-2/2000-2001/106  
Kadamba Transport Corporation Ltd.,  
Panaji, Goa.

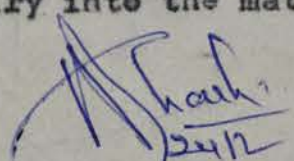
Date:- 24.2.2001

Suspension Order

The Chairman, KTCL during the course of inspection of Head Office on 23.2.2001 at 4.30 p.m. has observed that Shri M. P. Kamat, Statistical Officer was not found in his chamber and he did not report for duty till 05.30 p.m.

He had also not taken permission from the undersigned while leaving office nor reported his absence.

Shri M. P. Kamat, Statistical Officer, Head Office is hereby placed under suspension from the service with immediate effect, pending enquiry into the matters.

*Chit*  
  
( A. B. Bhartu )  
Managing Director

To,

Shri M. P. Kamat,  
Statistical Officer,  
KTC, Ltd.,  
Panaji, Goa.

C. C. to:-

- ✓ 1. Personnel Officer, KTCL.
2. Asst. Financial Controller, KTCL.
3. O/C
4. G/F



458/e

No. KTC/ADMN/1-2/2001-2002/11  
Kadamba Transport Corpn. Ltd.,  
Panaji-Goa.

Dated: 11.4.2001

M E M O R A N D U M

The undersigned proposes to hold an inquiry against Shri Mahesh P. Kamat, Statistical Officer under Rule 14 of the C.C.S. (Classification, Control and Appeal) Rules, 1965 which is applicable to him in terms of the Board Resolution No. 723 dated 28.9.92 and Resolution No. 901 dated 12.5.97. The substance of the imputation of misconduct in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Articles of Charges (Annexure I). A statement of the imputations of misconduct in support of each article of charge is enclosed (Annexure-II). A list of documents by which the articles of charges are proposed to be sustained are also enclosed (Annexure-III).

2. Shri Mahesh P. Kamat is directed to submit, within 15 days of the receipt of this Memo, a written statement of his defence and also to state whether he desires to be heard in person.

3. He is informed that an inquiry will be held only in respect of those articles of charges that are not admitted. He should, therefore, specifically admit or deny each article of charge.

4. Shri Mahesh P. Kamat is further informed that if he does not submit his written statement of defence on or before the date specified in para 2 above or does not appear in person before the inquiring authority or otherwise fails or refuse to comply with the provision of Rule 14 of the C.C.S. (C.C.A.) Rules, 1965 or the orders/directions issued in pursuance of the said Rule, the inquiring authority may hold the inquiry against him ex-parte.

P.

5. Attention of Shri Mahesh/Kamat is invited to Rule 20 of the Central Civil Services (Conduct) Rules, 1964, which is applicable to him in terms of above resolution, under which no Corporation servant shall bring or attempt to bring any political or outside influence to bear upon any superior


.....2

A. Kamat



authority to further his interest in respect of matters pertaining to his service under the Corporation. If any representation is received in his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that Shri Mahesh P. Kamat is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 20 of the C.C.S. (Conduct) Rules, 1964.

6. The receipt of this memo may be acknowledged.

  
( A. B. Bhartu )  
Managing Director

Encl: as above.

To,  
Shri Mahesh P. Kamat,  
Bhivneri,  
Comba,  
Margao-Goa.



50761c

ANNEXURE I

Statement of articles of charges framed against Shri Mahesh P. Kamat, Statistical Officer.

Article I

That the said Shri Mahesh P. Kamat, while functioning as Statistical Officer during the period from 9.7.99 to 24.2.2001 did not perform any duties assigned to the Statistical Officer thereby hampering the work of the Corporation which amounts to misconduct and neglect of duties.

Article II

That the said Shri Mahesh P. Kamat, while functioning as Statistical Officer, during the aforesaid period did not attend office during the time prescribed and was not found in his office on many occasions. In spite of warnings issued to him he continued to be irregular and un-punctual in attending duties which is unbecoming of an officer.

Article III

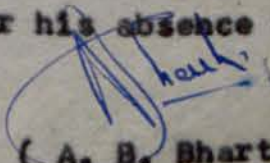
That the said Shri Mahesh P. Kamat while functioning as Statistical Officer during the aforesaid period forwarded representations and a copy of his letter dated 24.8.2000 referred to Shri V. V. S. Kunkolienkar directly to Secretary Transport who is the appellate authority for officers of the Corporation. Such correspondence was not routed through the Managing Director of the Corporation who is the Controlling Officer of Shri Mahesh P. Kamat and hence amounts to insubordination and showing disrespect to the superior officer and hence an act unbecoming of an officer.

Article IV

That the said Shri Mahesh P. Kamat while functioning as Statistical Officer during the aforesaid period did not conduct departmental enquiries assigned to him on frivolous grounds and also refused to carry out enquiries.

Article V

That the said Shri Mahesh P. Kamat, Statistical Officer during the aforesaid period was not regular and punctual in attending duties. He also neglected his duties which amounts to misconduct. On 23.2.2000 at 4.35 p.m. he was checked by Shri Venkatesh Desai, Chairman of the Corporation and along with Shri Nandakumar Pednekar, Peon and he was not found in his office from 4.15 p.m. till 5.30 p.m. He has neither taken permission nor authorisation from the authorities for his absence which amounts to misconduct.

  
( A. B. Bhartu )  
Managing Director



15510

ANNEXURE II

Statement of Imputations of misconduct or misbehaviour  
in support of the articles of charge framed against Shri Mahesh  
P. Kamat, Statistical Officer.

Article I

Shri Mahesh P. Kamat, Statistical Officer was posted as  
Statistical Officer vide order No. KTC/ADMN/1-2/00-2000/4  
dated 8.7.1999. ~~He joined duties as Statistical Officer~~  
~~on 8.7.1999. However, he did not carry out duties assigned~~  
to the post of Statistical Officer till date. Due to this act  
on the part of Shri Mahesh P. Kamat the work of the Corporation  
was hampered as timely data was not compiled and placed before  
the various Authorities i.e. Planning Commission, ASRTU, CIRT,  
etc., required as per the duties assigned to the post of  
Statistical Officer. Thus he failed in his duties which  
amounts to neglect of duties and misconduct.

& KTCL  
Z

top Management

Article II

Shri Mahesh P. Kamat while working as Statistical Officer  
from 9.7.99 till 24.2.2001 was irregular and unpunctual in  
attending duties. He used to report late for duties and also  
use to leave his office without obtaining any permission from  
Managing Director or intimating Managing Director or his  
Personal Assistant which every officer of KTCL is expected  
to do, as Managing Director is the Controlling officer. He  
was issued Memorandum No. KTC/ADMN/1-2/1999-2000/83 dated  
9.3.2000 by Managing Director for not reporting to duties  
till 10.30 a.m. on 8.3.2000 and his explanation dated 13.3.2000  
was found unsatisfactory. Again on 20.4.2000 another Memorandum  
No. KTC/ADMN/1-2/2000-2001/06 dated 22.4.2000 was issued  
to him by Managing Director as during inspection of the  
Chairman, Shri Venkatesh Dessai alongwith Managing Director  
at 4.30 p.m. on 24.4.2000 it was found that he had not reported  
for duties on that day. He had neither informed the Managing  
Director nor his Personal Assistant regarding the absence  
which amounts to unauthorised absence from duty. He failed  
to reply and justify his absence ~~from~~<sup>on</sup> 24.4.2000. Again  
another Memorandum No. KTC/ADMN/1-2/2000-2001/36 dated  
16.8.2000 was issued to Shri Mahesh P. Kamat for being not  
present in the office on 14.8.2000 after 11.30 hrs. till  
17.30 hrs. No permission was sought neither any intimation  
was given to the Managing Director regarding his absence.  
No satisfactory explanation was offered by Shri Mahesh P.  
Kamat for this absence for which a warning No. KTC/ADMN/1-2/  
2000-2001/42 dated 22.8.2000 was issued to Shri Mahesh P.  
Kamat in which he was clearly directed to seek permission



of the Managing Director for any leave or whenever Shri Mahesh P. Kamat wants to leave office, failing which he was informed that strict disciplinary action will be taken on him.

Inspite of all these Shri Mahesh P. Kamat continued to be irregular and unpunctual in attending his duties which amounts to misconduct.

Article III

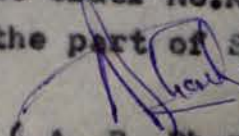
Shri Mahesh P. Kamat, Statistical Officer referred a copy of his warning dated 24.8.2000 directly to the Secretary (Transport) Secretariat, Govt. of Goa, Panaji without routing the same through the Managing Director who is the Controlling Authority of all the officers of the Corporation. Similarly Shri Mahesh P. Kamat also sent copies of his representation dated 28.7.2000 to the Secretary (Transport) without obtaining permission from Managing Director, Controlling Officer which amounts to misconduct as per CCS Rules. He admitted of having sent representations directly to the Secretary Transport (Appellate Authority) prior to 24.8.2000 vide his letter dated 22.9.2000. These representations were sent by him to Secretary Transport inspite of clear written instructions vide letter No. KTC/PERS/27-B/566/99-2000 dated 15.7.1999. Such acts on the part of Shri Mahesh P. Kamat amounts to misconduct and insubordination.

Article IV

Shri Mahesh P. Kamat was assigned departmental enquiries vide Orders Nos. KTC/TRF/DEF/3(33)/99-2000/1840 dated 25.2.2000, /1995 dt. 16.3.2000, /37 dated 11.4.2000, /171 dated 17.4.2000 by the disciplinary authority for workers as per Standing Orders of the Corporation as allotted to other officers of the Corporation. However, he refused to conduct these enquiries and returned the enquiry papers back to the Disciplinary Authority vide his letter No. /234 dated 31.3.2000 and 17.4.2000 under frivolous grounds which proves that he had no intentions to carryout any work of the Corporation. This amounts to negligence of duties and misconduct.

Article V

Shri Mahesh P. Kamat was checked by Shri Venkatesh Desai, Chairman, KTCL ~~xxx~~ alongwith Shri Nandakumar Pednekar, Peon on 23.2.2001 at 4.30 and he was not found in his office from 4.30 p.m. till 5.30 p.m. This was informed vide letter dated 23.2.2001 by Chairman. Shri Kamat has neither obtained permission nor intimated regarding his absence from office to M.D. or his Personnel Assistant. This act was committed by Shri Kamat inspite of several oral and written warnings and hence a serious view was taken and Shri Kamat was placed under suspension vide order No. KTC/ADMIN/1-2/2000-2001/106 dated 24.2.01. This act on the part of Shri Mahesh P. Kamat amounts to serious misconducts.

  
( A. B. Bhartu )  
Managing Director




414310  
45312

ANNEXURE III

List of documents by which the charges framed against Shri Mahesh P. Kamat, Statistical Officer are proposed to be sustained:

1. Transfer & posting Order No. KTC/ADMN/1-2/99-2000/11 dated 8.7.1999.
2. Joining report ~~not available~~ (Not available)
3. Letter No. KTC/PERS/27-B(566)/99-2000/2664 by M.D. to Shri Mahesh P. Kamat.
4. Memorandum No. KTC/ADMN/1-2/1999-2000/83 dated 9.3.2000
5. KTC/STAT/6- /99-2000/212 dated 13.3.2000
6. KTC/ADMN/1-2/2000-2001/06 dated 22.4.2000
7. KTC/ADMN/1-2/2000-2001/36 dated 16.8.2000
8. Warning dated 24.3.2000 of M.P. Kamat marked to Secretary Transport.
9. KTC/ADMN/1-2/2000-2001/42 dated 22.8.2000
10. KTC/PERS/4(566)/2000-2001/1124 dated 21.9.2000
11. Suspension Order No. KTC/ADMN/1-2/2000-2001/106 dated 24.2.2001.
12. Duties assigned to the post of Statistical Officer.
13. Letter of Shri M. P. Kamat dated 22.9.2000.
14. Letter of Chairman, KTCL to M.D. dated 23.2.2001.
15. No. KTC/STAT/6-9/99-2000/234 dated 31.3.2000
16. No. KTC/TRF/DEF/3(33)/99-2000/1840 dt. 25.2.2000
17. No. KTC/TRF/DEF/3(19)/99-2000/1995 dated 16.3.2000
18. No. KTC/STAT/6-9/99-2k/ dated 17.4.2000
19. No. KTC/TRF/DEF/3(22)/00-01/37 dated 11.4.2000
20. No. KTC/TRF/DEF/3(36)/00-01/171 dated 17.4.2000
21. Any other documents deemed necessary.

  
( A. B. Bhartu )  
Managing Director



4521e

ANNEXURE IV

List of witnesses by whom the articles of charge framed against Shri Mahesh P. Kamat, Statistical Officer are proposed to be sustained:

1. Shri T. K. Pawase, Personnel Officer
2. Shri V. V. S. Kunkolienkar, Dy. G.M. (Tech.)
3. Shri Nandakumar Pednekar, Peon
4. Shri Agnelo D'Souza, Peon
5. Any other witness deemed necessary with the permission of E.O.



( A. B. Bhartu )  
Managing Director



REGISTERED A/D

No. KTC/ADMN/1-2/2000-2001/09  
Kadamba Transport Corporation Ltd.,  
Panaji - Goa.,

Date:- 10.4.2001.,

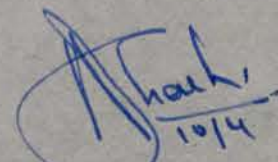
451/e  
PERSONAL FILE  
INWARD No. 135  
DATE: (10/4/2001)

ADDENDUM

The following paras shall be added in the Suspension Order No. KTC/ADMN/1-2/2000-2001/106, dated 24.2.2001 namely;

" During the period of suspension he shall be entitled for subsistence allowance as per Conduct Rules in force only after production of necessary non-employment Certificate under PR-53(2)".

It is further ordered that during the period of suspension, the headquarters of Shri. Mahesh P. Kamat shall be his place of residence as given below and he shall not leave the same without obtaining prior written permission from the undersigned.

  
( A. B. Bhartu )  
MANAGING DIRECTOR

To,

Shri. Mahesh P. Kamat,  
Flat No. 2, P-2.,  
Shivneri.,  
Comba, Margao - Goa.,

Copy to:-

- 11/9/4
1. The Asstt. Financial Controller, Panaji for na.,
  2. Personal File.,
  3. O/C.,
  4. G/File.,



450/c

KTC/PERS/86/2000-2001/

15.2.2001,

To,

**Shri. G. G. Kamli,**  
The Secretary,  
Goa Public Service Commission,  
Panaji - Goa.

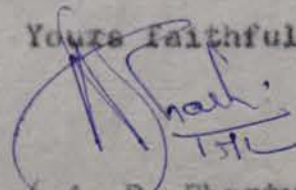
Sub:- Inquiry into the charges framed against  
Shri. Mahesh P. Kamat, Dy. Financial  
Controller.

Sir,

With reference to your letter No. 16/01/DP/INQ-98/2368, dated 3.10.2000 on above cited subject, I am pleased to inform you that, your honorarium is enhanced from Rs.1000/- (Rupees one thousand) to Rs.5000/- (Rupees five thousand) and Rs.500/- (Rupees five hundred) as Stenographer Charges.

You are therefore, requested to complete the enquiry within the period of 3 months and forward your findings accordingly. Enquiry file in Original is enclosed herewith.

Yours faithfully,



( A. B. Bhartu )  
MANAGING DIRECTOR

Encl: As Above.,



Personnel  
INVY  
DATE: 7/11  
13/2/2001

448/4

KTC/STAT/18/2000-2001/219  
Statistical Section  
KTC Ltd.,  
Panaji - Goa.  
Date: 13.2.2001

N O T E

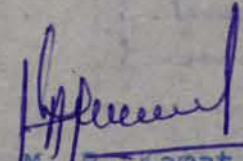
Reg: Provision of Telephone Connection.

This is to inform you that Statistical Department is without a telephone connection. In fact this is the only department in KTCL H.O. not provided telephone facility. Despite the fact that other departments headed by Junior Officers than me, have independent telephone connection, I did not put a claim for separate connection as I was using sparingly telephones of Personnel department and Civil Engineering department.

I have been put to inconvenience upon fixation of limits on telephone bills vide Circular No.KTC/ADMN/1-2/2000-2001/97 dated 7.2.2001. I am eligible for a separate telephone connection and <sup>limit</sup> ~~limit~~ on par ~~with~~ with Dy.G.M.(Tech) and Dy.G.M. (officiating Trf.). I would prefer any of the following options as may be convenient to K.T.C.L.

- (a) A separate telephone connection
- (b) Use of telephones of P.O. & A.E. with enhancement of their ceiling by Rs.1000/- each.
- (c) Allowance of Rs.2000/- in cash for making use of public telephone facility.

Pending decision in that regard I shall continue to use telephones attached to P.O. & A.E..

  
( M. P. Kamat )  
Statistical Officer

To,  
The Managing Director,  
KTC Ltd., Panaji.

- c.c. to:
- 1. The Personnel Officer.
  - 2. The Asstt. Engineer.



NOTE

R. T. C. Ltd.  
Personal Contribution  
INVOICE 6005  
DATE: 29/12/2000

4471C  
29/12/2000

Sir,

I am sick and not in position to report.

This is for your information pl.

To  
MD.  
JCTA.

M. P. Icamat  
(M. P. Icamat)



4461c

Dated: 20.12.2008  
SPTA  
20.12.2008

N O T E

Reproducing herein below article of charge no.1 contained in the article of charges framed against me vide Memo No.KTC/ /ADMN/1-2/97-98/205 dated 4.3.98 under ~~xx~~ rule 14 of the C.C.S. (CCA) Rules 1965.

"That the said Shri M.P. Kamat while functioning as Deputy Finance Controller during the period from 24.3.1990 to 31.10.96 neglected his duties and functions in maintaining proper and complete accounts of the Corporation and committed irregularities, which amounts to misconduct."

In support of the said charge, KTCL relied upon Auditors report on Accounts 1994-95 which contains observations on Accounts as below.

- (1) Over statement/under statement of Assets/liabilities.
- (2) Over statement/understatement of Profit/Loss.
- (3) Accounting disclosures.

KTCL is now in receipt of Auditors Report on accounts for the year 1999-2000 awaiting approval by the General Body containing following observations:-

- (1) Under statement/Over statement of current liabilities/ /Government Grants Rs.14.32 lakhs.
- (2) Under statement/Over statement of current Assets/Loss Rs.6.94 lakhs.
- (3) Over statement of loss Rs.4.07 lakhs.
- (4) Errors of disclosures vide ~~xx~~ " schedule " S".

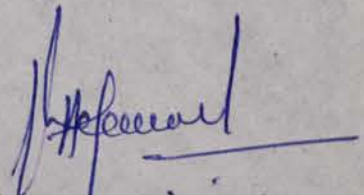
With reference to the Auditors comments on Accounts 1994-95 and judged by same count, the comments of Auditors on accounts 1999-2000 constitutes negligence in duties and functions and commitment of irregularities on part of Tukaram K. Pawse, Asstt. Financial Controller for the relevant period 1999-2000. Not only that the observations contained in two reports are exactly similar, the magnitude of irregularity during the year 1999-2000 is much more compared to 1994-95.

The above acts of Tukaram K. Pawse, A.F.C. constitutes misconduct under C.C.S.(C.C.A.) rules 1965 and calls for immediate removal from finance department and institution of enquiry against Shri Tukaram K. Pawse.



445/c

It may please be noted that above irregularities (1999-2000) have not been brought to the notice of B.O.D. of KTCL. Annual General Body Meeting which approving the accounts 1999-2000 will be unknowingly a party to such irregularities since alongwith accounts 1999-2000 they shall be approving the acts of negligence and misconduct committed by Shri Tukaram K. Pawse, Asstt. Financial Controller.



( M. P. Kamat )  
Statistical Officer

To,  
The Managing Director,  
Kadamba Transport Corporation Ltd.,  
Panjim - Goa.

c.c. to:  
The Personnel Officer, KTCL.



Dt. 7/9/2000.

NOTE:

To  
M.D.  
KTEE.

3511  
11/9/2000

2339  
7/9/2000.

Sir,

I am sick and unable to report  
to office. Submitted for your information.

4

PO 2/9/00

M. P. Kamat  
(M.P. Kamat)



444/C

Shri M. P. Kamat,  
Statistical Officer,  
KTC Ltd.,  
Panaji - Goa.

Date: 5.10.2000

4119  
5/10/2000

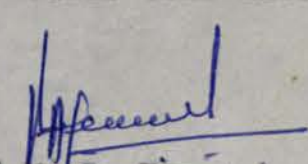
N O T E

Sir,

I am writing to confirm the telephonic intimation by me on 4.10.2000 at 4.00 p.m. Shri Dilip Phadte, UDC attached to the Margao depot was liasoning with the Advocate of Shri V.V.S. Kunkolienkar, Dy. G.M.(Tech) on his behalf in the personal case.

Shri Phadte, was sitting besides me in the Court from 2.30 p.m. to 3.45 p.m. and was in the Court premises till the conclusion of my deposition at 4.00 p.m. under instruction of said Shri V.V.S. Kunkolienkar.

This is misuse of Corporation staff for the personal purposes by Shri V.V.S. Kunkolienkar amounting to misconduct and should be enquired into. Regretfully, I state that Shri V.V.S. Kunkolienkar had violated almost all provision of CCS (CCA) rules enforced on K.T.C.L. Officers, and disciplinary authority of K.T.C.L. had not taken any cognizance till date for the best reasons known to them.

  
( M. P. Kamat )  
Statistical Officer

To,  
The Managing Director,  
KTCL, Panaji-Goa.

C.C. TO: Personnel Officer, KTCL.



2733  
5/10/2000

441/c

Shri M. P. Kamat,  
Statistical Officer,  
KTC Ltd.,  
Panaji - Goa.

Date: 5.10.2000

N O T E

4131  
6/10/2000

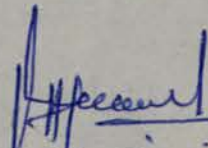
Sir,

I am writting to confirm the telephonic intimation by me on 4.10.2000 at 4.00 p.m. Shri Dilip Phadte, UDC attached to the Margao depot was liasoning ~~wth~~ with the Advocate of Shri V.V.S. Kunkolienkar, Dy. G.M.(Tech) on his behalf in the personal case.

Shri Phadte, was sitting beside me in the Court from 2.30 p.m. to 3.45 p.m. and was in the Court premises till the conclusion of my deposition at 4.00 p.m. under instruction of X said Shri V.V.S. Kunkolienkar.

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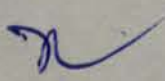
+

  
( M. P. Kamat )  
Statistical Officer

To,  
The Managing Director,  
KTCL, Panaji-Goa.

C.C. TO: Personnel Officer, KTCL.





P.O.



From:

446/1

Shri Mahesh P. Kamat,  
Statistical Officer,  
KTC Ltd.,  
Panaji - Goa.

38/c

2574

28/9/2000

3884 Date: 22.9.2000  
251912AD

Ref: Memorandum dated 21.9.2000

Warning dated 24.8.2000 a copy of which forwarded to the Secretary Transport ( appellate authority of KTCL) is to be read with Memo No.KTC/ADMN/1-2/2000-2001/36 dated 16.8.2000 and Warning No.KTC/ADMN/1-2/2000-2001/42 dated 22.8.2000 and irrelevant Circular No.KTC/ADMN/1-2/2000-2001/31 dated 4.8.2000 issued by Shri V.V.S. Kunkolienkar without proper authority and appointment as Managing Director. The Warning in return was reciprocal and part of the personal conflict with which the KTCL had nothing to do.

KTCL was without a properly appointed M.D. w.e.f. 1.8.2000 and I do not know till date as to effective date of your taking over the charge of M.D. of KTCL. To the best of my knowledge I was aware that there was no M.D. for KTCL on 24.8.2000 and I was settling my personal scores with Shri V.V.S. Kunkolienkar.

Finally for putting up the grivances to the Secretary Transport by officers of KTCL the proper channel is direct submission without prior consent of KTCL Authority and had been followed by me in the past numerous times without being questioned by any M.D. of K.T.C.L. In this case only a copy had been endorsed. I am also to make it clear that the Secretary Transport referred herein is the Appellate Authority of KTCL and not Secretary Transport of Govt. of Goa. I have reasonable ground to believe that KTCL authorities are biased in favour of Shri V.V.S. Kunkolienkar and I will not get any justice within KTCL. I will take up the matter with State Govt/Director of Vigilance/ Court by way of public interest litigation. Central Intelligence Agency to the court of time which will be routed through proper channel.

To  
~~M.D.~~  
KTCL Panaji-Goa

*[Signature]*  
( M. P. Kamat )  
Statistical Officer

*[Handwritten marks]*  
Chair

*[Handwritten signature]*



4791

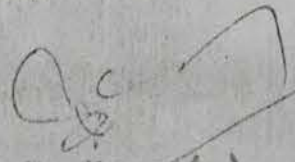
No.KTC/PERS/4(566)/2000-2001/1124  
Kadamba Transport Corpn. Ltd.,  
Panaji - Goa.,

Date:- 21.9.2000.

M E M O R A N D U M

It is observed that, Shri. Mahesh P. Kamat, Statistical Officer has forwarded a copy of warning dated 24.8.2000 to the Secretary, Transport (Appellate Authority), Panaji-Goa, ~~XXXXXXXX~~ directly without routing through the proper channel.

Shri. Mahesh P. Kamat, Statistical Officer, is therefore directed to furnish within three days his explanation in the matter.

  
( S. D. Dossai )  
MANAGING DIRECTOR

To,

Shri. Mahesh P. Kamat,  
Statistical Officer,  
Kadamba Transport Corporation Ltd.,  
Panaji - Goa.,  
-----

Copy to:-

1. Pers. File.,
2. O/C.,
3. G/File.,

3PM

4/9/2000



4391e

1124


No. KTC/PERS/4(566)/2000-2001/  
Kadamba Transport Corpn, Ltd.,  
Panaji - Goa.,

Date:- 21.9.2000.

MEMORANDUM

It is observed that, Shri. Mahesh P. Kamat, Statistical Officer has forwarded a copy of warning dated 24.8.2000 to the Secretary, Transport (Appellate Authority), Panaji-Goa, ~~XXXXXX~~ directly without routing through the proper channel.

Shri. Mahesh P. Kamat, Statistical Officer, is therefore directed to furnish within three days his explanation in the matter.

  
( S. D. Dessai )  
MANAGING DIRECTOR

To,

Shri. Mahesh P. Kamat,  
Statistical Officer,  
Kadamba Transport Corporation Ltd.,  
Panaji - Goa.,  
-----

Copy to:-  
1. Pers. File..  
2. O/C..  
3. G/File..



438/c


No.KTC/PERS/4(566)/2000-2001/ 1124  
Kadamba Transport Corpn, Ltd.,  
Panaji - Goa.,

Date:- 21.9.2000.

M E M O R A N D U M

It is observed that, Shri. Mahesh P. Kamat, Statistical Officer has forwarded a copy of warning dated 24.8.2000 to the Secretary, Transport (Appellate Authority), Panaji-Goa, ~~WXXXXXX~~ directly without routing through the proper channel.

Shri. Mahesh P. Kamat, Statistical Officer, is therefore directed to furnish within three days his explanation in the matter.

  
( S. D. Dessai )  
MANAGING DIRECTOR

To,

Shri. Mahesh P. Kamat,  
Statistical Officer,  
Kadamba Transport Corporation Ltd.,  
Panaji - Goa.,  
-----

Copy to:-

1. Pers. File.,
2. O/C.,
3. G/File.,



KTC/DyGM(Tech)/2000-2001/  
Kadamba Transport Corporation Ltd.,  
Panaji-Goa.

Dated:- 8.9.2000

4371

To,  
The Managing Director,  
K. T. C. Ltd.,  
Panaji-Goa.

3498  
11/9/2000

Sir,

I am enclosing herewith a copy of the letter sent by Shri M.P. Kamat to Secretary(Transport), Govt. of Goa, Sectt., Panaji.

The official correspondence of K.T.C.L. cannot be referred to the Secretary(Transport) without prior approval of the Managing Director as per C.C.S. Rules applicable to K.T.C.L. officers. In this case, Shri M.P. Kamat has violated the Code of Conduct applicable to K.T.C.L. officers and as such, he is liable for disciplinary action.

I am, therefore, to request you to initiate disciplinary proceedings for the above misconduct against Shri M.P. Kamat.

Yours faithfully,

(V.V.S. Munkolienkar)  
Dy. General Manager(Tech.)

*At call for the explanation of Shri M.P. Kamat as to why correspondence was sent to the Secy (Transport) through M.D. At refer to CCA rules*

*11/9 P.O.*



M. P. Kamat,  
Kadamba Transport Corp. Ltd.,  
Panaji - Goa.

Date: 24.8.2000

436/c

To,  
V.V.S. Kunkolienkar,  
Kadamba Transport Corp. Ltd.,  
Panaji - Goa.

Through M.D.

W A R N I N G

Refer so called Memorandum No.KTC/ADMN/1-2/2000-2001/36 dated 16.8.2000 and so called warning No.KTC/ADMN/1-2/2000-2001/42 dated 22.8.2000 issued to me without proper authority, application of mind and misconstrued to be supported by handing over of charge as per instructions of Chairman and irrelevant Circular No.KTC/ADMN/1-2/2000-2001/31 dated 4.8.2000.

You have no legal and moral rights to exercise disciplinary authority. Legal rights are not vested in you by proper authority but wrongfully assumed by you to pursue your personal conflict against me. Morally you are a misfit to be disciplinary Authority having committed maximum number of misconducts than any other employee of this Corporation, some of which are cited herebelow:-

(1) You were the main culprit to accept cold phosphatised buses from M/S. Starline Motor Industries Pvt. Ltd. compromising on the life of bus bodies resulting in financial losses to K.T.C.L.

(2) You have caused a financial loss of Rs. 7739/- to K.T.C.L. by insuring bus no.GA-01-X-138 during the period 25.4.98 to 24.4.99 when it was off-road from 17.12.96 to 23.8.99. Personal interest is seen very much for insuring the vehicle against risk to driver, conductor, passengers and third party while not on road.

(3) You have been instrumental for procuring aluminium material ~~from~~ from M/s. Ashoka Traders at higher rates misrepresenting it as "BALCO" when actual supplies had been of "BALLO" mark. Your interest is seen in the absurd financial analysis done despite your authority restricted to technical analysis only. The said Ashoka Traders had been supplier to the firm M/s. Goa Auto Engineers, Kakada, in which your family members are partners.

.....2/-



4357c

(4) You are the real culprit for procuring aluminium material in capacity of Works Manager of Central Workshop during 1993-94 which is a subject matter of enquiry vide indents nos. 75, 76 & 77 as reported by investigating Police Officer. You are also the real culprit to approve the quality of said material and its consumption.

(5) You are interested in Advocate Patnekar who is advocate in your private cases who has been appointed as enquiry Officer and deliberately delaying enquiries at exorbitant professional fees at the cost of KTCL.

(6) The procedure for appointment of enquiry Officers had not been followed, by to help your private counsel. The sitting fees @ Rs.500/- per sitting ~~xxx~~ had been offered to Adv. Patnekar when the Govt. enquiry Officers can do the complete enquiry for Rs.1000/- only. Private Advocates are doing business of lakhs of Rupees as against maximum prescribed fees of Rs.1000/- only.

(7) Corporation vehicle is being misused everyday for to and fro residential conveyance a distance of 70 kms. by you amounting to misconduct and waste of public money.

(8) Most of bus bodies received recently are ~~qk~~ with material defects in chequered plates, formica, pipes etc. mislead to believe as Warrantee defects. This has been done under your authority.

(9) Your assuming the post of Managing Director w.e.f. 1.8.2000 is illegal. I am ~~reserving further~~ clarification on this to enable you to commit more irregularities.

This list is only illustrative. Take notice that I am away from finance department at my own wish and will and any interference by you in my affairs, I will challenge the present posting as Statistical Officer and reclaim the post of Dy.F.C. and dig out all skeletons buried during the period 1998-2000 wherein you have dominated the decision making process by appropriate authorities. I am going to reveal your malafide acts to every workman charge-sheeted under your disciplinary authority in future. Finally take a note that I am contemplating to sue you for issuing me a Memo and Warning malafidely.

- c.c. to: 1) M.D. for favour of inf. pl.  
2) Chairman, KTCL for inf. pl.  
3) Personnel Officer for inf. pl.  
4) The Secretary Transport,  
(Appellate Authority)  
Secretariat, Govt. of Goa, Panaji.

( M. P. Kamat )

25/8/2000

25/8/2000  
25/8/2000



LH 34/C

M. P. Kamat,  
Kadamba Transport Corp. Ltd.,  
Panaji - Goa.

Date: 24.8.2000

To,  
V.V.S. Kunkolienkar,  
Kadamba Transport Corp. Ltd.,  
Panaji - Goa.

CV 2 00  
Personnel Department  
3226  
25/8/2000  
through M.D.

WARNING

Refer so called Memorandum No.KTC/ADMN/1-2/2000-2001/36 dated 16.8.2000 and so called warning No.KTC/ADMN/1-2/2000-2001/42 dated 22.8.2000 issued to me without proper authority, application of mind and misconstrued to be supported by handling over of charge as per instructions of Chairman and irrelevant Circular No.KTC/ADMN/1-2/2000-2001/31 dated 4.8.2000.

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X

(2) You have caused a financial loss of Rs. 7739/- to K.T.C.L. by insuring bus no.GA-01-X-138 during the period 25.4.98 to 24.4.99 when it was off-road from 17.12.96 to 23.8.99. Personal interest is seen very much for insuring the vehicle against risk to driver, conductor, passengers and third party while not on road.

(3) You have been instrumental for procuring aluminium material ~~fix~~ from M/s. Ashoka Traders at higher rates misrepresenting it as "BALCO" when actual supplies had been of "BALLO" mark. Your interest is seen in the absurd financial analysis done despite your authority restricted to technical analysis only. The said Ashoka Traders had been supplier to the firm M/s. Goa Auto Engineers, Kakada, in which your family members are partners.

.....2/-



433/c

(4) You are the real culprit for procuring alluminium material in capacity of Works Manager of Central Workshop during 1993-94 which is a subject matter of enquiry vide indents nos. 75, 76 & 77 as reported by investigating Police Officer. You are also the real culprit to approve the quality of said material and its consumption.

(5) You are interested in Advocate Patnekar who is advocate in your private cases who has been appointed as enquiry Officer and deliberately delaying enquiries at exorbitant professional fees at the cost of KTCL.

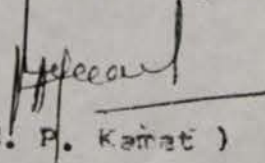
(6) The procedure for appointment of enquiry Officers had not been followed, ~~by~~ to help your private counsel. The sitting fees @ Rs.500/- per sitting ~~fees~~ had been offered to Adv. Patnekar when the Govt. enquiry Officers can do the complete enquiry for Rs.1000/- only. Private Advocates are doing business of lakhs of Rupees as against maximum prescribed fees of Rs.1000/- only.

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This list is only illustrative. Take notice that I am away from finance department at my own wish and will and any interference by you in my affairs, I will challenge the present posting as Statistical Officer and reclaim the post of Dy.F.C. and dig out all skeletons buried during the period 1998-2000 wherein you have dominated the decision making process by appropriate authorities. I am going to reveal your malafide acts to every workman charge-sheeted under your disciplinary authority in future. Finally take a note that I am contemplating to sue you for issuing me a Memo and Warning malafidely.



( M. P. Kamat )

- c.c. to: 1) M.D. for favour of inf. pl.  
2) Chairman, KTCL for inf. pl.  
3) Personnel Officer for inf. pl.  
4) The Secretary Transport,  
(Appellate Authority)  
Secretariat, Govt. of Goa, Panaji.



432/C

KTC/STAT/6/2000-01/ 117  
Statistical Section  
Kadamba Transport Corp. Ltd.,  
Panaji - Goa.

Date: 23.8.2000

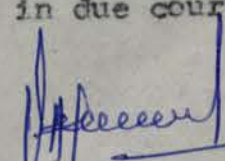
N O T E

**Refx**

Refer to so called Memo No. KTC/ADMN/1-2/2000-2001/36 dated 16.3.2000 and so called Warning No. KTC/ADMN/1-2/2000-2001/42 dated 22.3.2000, both of which are irrelevant.

Circular No. KTC/ADMN/1-2/2000-2001/31 dated 4.8.2000 is altogether in a different context and does not indicate anything about holding charge of Managing Director. Therefore, the presumption as regards information under para III is irrelevant.

As regards reply dated 19.8.2000, I have said whatever I wanted to say, the reality of which is confirmed by Circular No. KTC/ADM/1-2/2000-2001/40 dated 21.8.2000. Had the contents of Circular dated 8.8.2000 and 21.8.2000 been same, the question of issuing circular dated 21.8.2000 would not have arisen. Your holding of charge of M.D. as per para II, is illegal, the implications of which will be known in due course of time.

  
( M. P. Kamat )  
Statistical Officer

To,  
V.V.S. Kunkolienkar,  
Works Manager, holding charge  
of Dy.G.M. (Tech),  
K.T.C.L., Panaji.

c.c. to:

1. Personnel Officer *chairman*
2. PA to ~~MD~~, KTCL for information pl.



3225  
22/8/2000  
No. KTC/ADMN/1-2/2000-2001/42  
Kadamba Transport Corpn. Ltd.,  
Panaji-Goa.

Dated: 22.8.2000  
431K

W A R N I N G

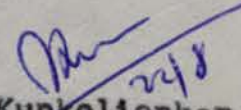
Refer Memorandum No. KTC/ADMN/1-2/2000-2001/36 dated 16.8.2000. Reply No. KTC/STAT/6- /2000-01/114 dated 19.8.2000 submitted by you is irrelevant.

The undersigned has been handedover the charge of Managing Director on 1.8.2000 as per the instructions of Hon'ble Chairman, K.T.C. Ltd., Statistical Department has acknowledged the Circular No. KTC/ADMN/1-2/2000-2001/31 dated 4.8.2000 which was signed by the undersigned in the capacity of Managing Director which was received by your department on 8.8.2000.

Hence it is clear that you as Incharge of Statistical Department was informed as regards my holding charge of Managing Director on 8.8.2000.

In view of your reply dated 19.8.2000 it is presumed that you have nothing to say on the charge of absence from duties after 11.30 hrs. till 17.30 hrs. on 14.8.2000.

You are hereby warned to be present on duty and permission has to be sought from the undersigned for any leave or whenever you want to leave office premises, failing which strict disciplinary action will be taken, which please note.

  
( V. V. S. Kunkolienkar )  
Managing Director

To,  
Shri M. P. Kamat,  
Statistical Officer,  
K.T.C. Ltd.,  
H.O. Panaji.

C.C. to: 1. The Personnel Officer.

C.C. to: 2. P.A. to Chairman, K.T.C. Ltd., for favour of information.



No: KTC/STAT/6- /2000-01/ 114  
Kadamba Transport Corporation Ltd.,  
Panaji-Goa.

Dated: 19/8/2000

430/C

2089  
19/8/2000-

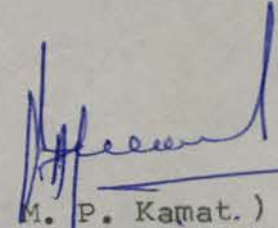
NOTE

3192  
2/18/2000

Ref: No. KTC/ADMN/1-2/2000-2001/36 dated 16.8.2000

~~XXXXXXXX~~

From the records of this department, I know that Shri S. D. Dessai as the Managing Director of KTCL and he retired as on 31.7.2000. After this there is no official intimation about appointment of any other person as the Managing Director of KTCL till date. As far as your designation is concerned, you are Works Manager holding charge of DY. G.M.(Tech). In view of which I am not recognising your authority as M.D.

  
( M. P. Kamat. )  
Statistical Officer

To,

V. V. S. Kunkolienkar,  
W.M., holding charge of DY G.M.(Tech)

c.c. : P. A. to Chairman  
P.O. KTCL

P.O.  
Pl. Circulate that presently  
I am holding charge of W.M. for 19/8/2000  
to all the Dept. DM  
2/18



2181  
25/8/2000

429/c  
M. P. Kamat,  
Kadamba Transport Corp. Ltd.,  
Panaji - Goa.

Date: 24.8.2000

To,  
V.V.S. Kunkolienkar,  
Kadamba Transport Corp. Ltd.,  
Panaji - Goa.

V.V.S.  
3239  
20/9/2000

WARNING

Refer so called Memorandum No.KTC/ADMN/1-2/2000-2001/36 dated 16.8.2000 and so called warning No.KTC/ADMN/1-2/2000-2001/42 dated 22.8.2000 issued to me without proper authority, application of mind and misconstrued to be supported by handing over of charge as per instructions of Chairman and irrelevant Circular No.KTC/ADMN/1-2/2000-2001/31 dated 4.8.2000.

You have no legal and moral rights to exercise disciplinary authority. Legal rights are not vested in you by proper authority but wrongfully assumed by you to pursue your personal conflict against me. Morally you are a misfit to be disciplinary Authority having committed maximum number of misconducts than any other employee of this Corporation, some of which are cited herebelow:-

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(2) You have caused a financial loss of Rs. 7739/- to K.T.C.L. by insuring bus no.GA-01-X-138 during the period 25.4.98 to 24.4.99 when it was off-road from 17.12.96 to 23.8.99. Personal interest is seen very much for insuring the vehicle against risk to driver, conductor, passengers and third party while not on road.

(3) You have been instrumental for procuring aluminium material ~~max~~ from M/s. Ashoka Traders at higher rates misrepresenting it as "BALCO" when actual supplies had been of "BALLO" mark. Your interest is seen in the absurd financial analysis done despite your authority restricted to technical analysis only. The said Ashoka Traders had been supplier to the firm M/s. Goa Auto Engineers, Kakada, in which your family members are partners.

.....2/-

90  
V.V.S. Kunkolienkar,  
Kadamba Transport Corp. Ltd.,  
Panaji - Goa.







No: KTC/STAT/6- /2000-01/ 114 427C  
Kadamba Transport Corporation Ltd.,  
Panaji-Goa.

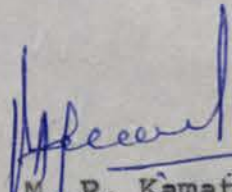
Dated: 19/8/2000

NOTE

Ref: No. KTC/ADMN/1-2/2000-2001/36 dated 16.8.2000

~~XXXXXXXX~~

From the records of this department, I know that Shri S. D. Dessai as the Managing Director of KTCL and he retired as on 31.7.2000. After this there is no official intimation about appointment of any other person as the Managing Director of KTCL till date. As far as your designation is concerned, you are Works Manager holding charge of DY. G.M.(Tech). In view of which I am not recognising your authority as M.D.

  
( M. P. Kamat )  
Statistical Officer

To,

V. V. S. Kunkolienkar,  
W.M., holding charge of DY G.M.(Tech)

c.c. : P. A. to Chairman  
P.O. KTCL



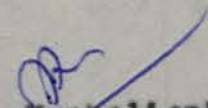
426/c  
No. KTC/ADMN/1-2/2000-2001/36  
Kadamba Transport Corpn. Ltd.,  
Panaji-Goa.

Dated: 16.8.2000

MEMORANDUM

On 14.8.2000 it was noticed that you were not present in the office after 11.30 hrs. till 17.30 hrs. No permission was sought neither any intimation was given to the undersigned as regards your absence.

You are hereby asked to explain in writing the reason for your absence within four days from the receipt of this memo, failing which ex-parte decision will be taken against you.

  
( V.V.S. Kupkollenkar )  
Managing Director

To,

X  
Shri M. P. Kamat,  
Statistical Officer,  
K.T.C. Ltd.,  
H.O.  
Panaji.

C.C. to:

1. P.A. to Chairman, K.T.C. Ltd., Panaji.
2. The Personnel Officer, K.T.C. Ltd., Panaji.



125/c

NOTE

Date: 8.8.2000

Representation dtd. 28.7.2000 received from Shri M.P.Kamat, Statistical Officer, *is placed herewith.*

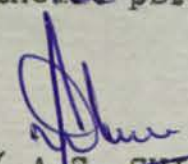
I have gone through the entire representation and enclosures therein. This note is an counter attack to the charge sheet issued to Shri M.P.Kamat, by the Management. He has filed this representation based on the document produced by the Management in course of enquiry and the deposition of Management witnesses which is in progress against Shri S.V.Naik, Dy.G.M(Tech), ~~and~~ Shri P.Gaonkar, Purchase Officer and Shri M.P.Kamat, Dy.F.C./SO.

The content of the note relates to the planning, procurement, stocking and consumption of material. The concerned Dept. of planning, procurement, consumption, stocking etc. is Central Workshop and Central Stores. The qualitative and quantitative aspects of material are decided by the C.W.S. as user Dept. and Central Stores as a stocking Dept. The Management through *its own* documents during the course of enquiry which is presently is in progress had made certain disclosure and statement through its witnesses which confirmed the issues raised in the note.

This note perhaps the tug of war between the ~~two~~ Officers of the Corporation which will bring out certain malpractice which were existing in the Corporation.

I am therefore, of the opinion that we should investigate the matter to find out the *truth* by appointing an independent investigator. We may also *forward* this copy as desired by Shri M.P.Kamat, through the Chairman to the B.O.D. for their ~~perusal~~ perusal.

Submitted:

  
( A.S. SHIRVOIKAR )  
Personnel Officer

*MS*

The enclosed representationi refers to the Departmental Enquiry against Shri M.P. Kamat and charges made therein and the documents produced in the said enquiry. He is free to put up his defence before the Inquiring Authority. If, however, on completion of inquiry



the report submitted by the I.O.,  
Comments adversely on any other  
Officers for involvement in the matter,  
action can be initiated against him  
or them only after the inquiry report  
is received.

9  
11-9.

B.D.

X

3533  
11/9/2007

Chau

11/9



2669  
28/7/2000

1424/C  
Dated: 28.7.2000

During the year 1993-94, KTCL procured material such as water channel (Indal 6339), Rail beading, Alluminium strips and water channel (Indal 6250) to be used for major bus body repairs, a centralised activity of repairs engineered through the central workshop, Porvorim under the authority, supervision and control of Works Manager. The above said material was requisitioned, by Works Manager. The Asstt. Controller of Stores in-charge of Central Stores raised indents on purchase department for maintaining stocks and supply of such material to Works Manager. The works Manager in-charge of central workshop at the relevent point of time was Mr. V.V.S. Kunkolienkar.

The planning, procurement and stocking of the said material had been a issue of dispute for which undersigned had been chargesheeted and put to enquiry by KTCL vide Memo No.KTC/ADMN/ /1-2197-98/205 dated 4.3.98.undersigned Shri M.P. Kamat was the Dy. Finance Controller at the relevent time and acted as the member of Purchase Committee and in charge of Accounts and Finance.

The charges framed against me vide article of charges no. II, VIII & No.XI which are annexed herewith as Exh.(A), Exh.(B) & Exh.(C) are as follows:-

- (1) The material purchased was of non-genuine INDAL specifications. Exh.(A).
- (2) Material had been purchased in excess than required without authority and necessity. Exh.(B) & (C)
- (3) Material was purchased when there was sufficient stock. (Exh. (B) & (C).
- (4) Material purchased was more than monthly consumption requirements. Exh.(B) & (C)
- (5) The quantity of material was not worked out properly( Exh.(B) & (C)
- (6) The material was purchased without calling quotations. Exh. (B) & (C)
- (7) The excess procurement of material was with ~~make~~ sole motive to cause monetary gain to supplier. Exh. (B) & (C)
- (8) The excess material resulted in blocking funds of Corporation. Exh. (B) & (C)

.....2/-



A231c

The charge no.1 is regarding quality of material. The charges at sr.no.2,3,4 & 5 are regarding quantity of material. The charge no.6 is part of the procedure of purchases. The charges at sr. no.7 & 8 are the result of faulty planning and assessment of material following from charges at sr. 2,3,4 & 5. In short the charges enumerated above relate to the ~~quant~~ qualitative and quantitative aspects of the material procured by KTCL. According ~~the~~ to the functional responsibilities assigned by the Corporation, Works Manager, Shri V.V.S. Kunkolienkar remains to be the exclusive authority for planning and assessment of material required for his use in the Central Workshop. Works Manager, Shri V.V.S. Kunkolienkar also remains to be the exclusive Authority for approval of technical specification of material supplied by the parties for acceptance by authorities of Central Stores. Works Manager, Shri V.V.S. Kunkolienkar was the exclusive consumer of such material and authority for reporting the quality and performance of material <sup>used</sup> in the repair activity in the Central Workshop. Assistant Controller of Central Stores, Shri T.K. Pawse also assumes responsibility~~s~~ for assessment of material vide charges no.2,3,4 & 5. The charge no.6 is a part of purchase procedure and responsibility of Purchase Officer. Lastly the monetary gain to the supplier and blocking funds of Corporation is attributable to works Manager, Shri V.V.S. Kunkolienkar arising out of defective requisitioning of material.

Undersigned was the Dy. Finance Controller at the relevant time and had nothing to do with the qualitative and quantitative aspects of material procured by KTCL so also consequences following from faulty planning of material. However, for the reasons best known to former M.D., Shri P.S. Reddy and through the instrument of Works Manager, Shri V.V.S. Kunkolienkar, myself had been loaded with several charges while W.M., Shri Kunkolienkar the real culprit behind the whole episode had been conveniently spared.

Management of KTCL furnished certain documents in support of article of charges framed against me and produced documents during the conduct of enquiry. Like-wise management of KTCL which instituted enquiry against Mr. P.A. Gaonkar, purchase Officer and Mr. S. V. Naik, Dy. General Manager(Tech) in course of evidence examined witnesses namely (1) Shri U.B. Naik, Asstt. Finance Controller (2) Shri Tukaram K Pawse, Asstt. Controller of Stores and (3) Shri Suresh B. Surfakar, Storekeeper. Such documentary evidences and depositions are annexed to this note as:



422/c

(1) Para no.8 on page no.11 of police report ~~xx~~ as the basis <sup>for</sup> enquiry against me confirming Indent Nos. 75, 76 & 77 da-ted 30.8.93 raised by Works Manager, Shri V.V.S. Kunkolienkar Exh.(D).

(2) Indent No.75 dated 30.8.93 raised by ~~xxx~~ works manager, Shri Kunkolienkar. (Exh(E))

(3) Indent no.76 dated 30.8.93 raised by works manager, Shri Kunkolienkar. (Exh.(F))

(4) Indent no.77 dated 30.8.93 raised by works Manager, Shri Kunkolienkar. Exh.(G)

(5) A chart showing processing of Indents No.75, 76 & 77 dated 30.8.93. Exh.(H)

(6) Deposition by management witness, Shri T.K. Pawse who processed the indents nos. 75,76 & 77 dated 30.8.93 raised by works manager, Shri Kunkolienkar. Exh.(i)

(7) Deposition by management witness, Shri Suresh Surlakar who processed indent nos. 75, 76 & 77 dated 30.8.93 raised by works manager, Mr. Kunkolienkar. Exh.(j)

(8) Deposition by management witness, Shri Uttam B. Naik, Asstt. Finance Controller who accounted the bills and paid for such material. Exh.(K)

Management own ~~MANAGEMENT~~ evidence itself reveals without any doubt that series of malafides alleged against me involves Mr. V.V.S. Kunkolienkar, works manager at the relevent time. The indents nos. 75, 76 & 77 dated 30.8.93 which are all made by V.V.S.Kunkolienkar, W.M. alone <sup>are</sup> the starting points without which there would not have been ~~stores~~ indent and without stores ~~xx~~ indents a purchase order. It is also a ~~Δ~~ admitted position that Central Stores cannot accept material in excess and of specification deviating from the stores indent and without approval of quality from Mr.V.V.S.Kunkolienkar, W.M. Very fact that material GRN's were been prepared is conclusive evidence that the purchase order was within the stipulations of <sup>specifica-</sup> ~~Δ~~ tions and quantity laid down by Stores indents. Material which was procured was to be used in Central Workshop and was under Central suvervision and use of W.M. V.V.S.Kunkolienkar. Hence failure to report lapses in quality and quantity alleged ~~Δ~~ against me rest entirely with W.M., Mr. Kunkolienkar.

As against this , undersigned had absolutely no role to play in deciding the specifications and quantities as a member of purchase committee. Further acceptance of material according to quality is not the function of purchase committee. Under-signed was however, concerned with accounting and payments against the material according to Accounts procedures which has nothing to do with the stores & purchase procedures.

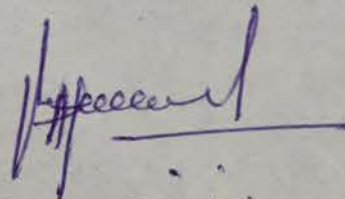


441

Since I have been made a victim for no error on my part, I call upon you to act positively against the real culprit in the whole deal. Management through its own documents and witnesses had confirmed and established that the irregularities that took place were in fact committed by works manager, Mr. Kunkolienkar. I require the management to divest Mr. Kunkolienkar from his substantive post of works manager and officiating Dy. General Manager (Tech) and institute an enquiry against him. The involvement of Mr. V.V.S. Kunkolienkar in other deals such as insurance of GA-01-X-138, purchase of aluminium from Ashoka Traders and misuse of official vehicles is already reported and on the records of K.T.C.L.

Please take a note that in case no action is taken within 30 days from the receipt of this letter, I shall be constrained to move further in this matter. This may be taken as intimation cum Notice in that regard, as the charges prima-facie on evidence and even otherwise on reading allegations, shows no cause against me, hence for such forceful action, the Corporation shall have to pay compensation which also be noted. Submitted in duplicate, a copy which may be forwarded to the B.O.D. through the Chairman, K.T.C.L.

To,  
 The Managing Director,  
 KTCL, Panaji-Goa



( M.D. Kamat )  
 Statistical Officer

c.c. to:

The Secretary, (Transport)  
 Govt. of Goa, Panaji.  
 (Appealate Authority)

Encl: Exhibits "a" to "k".

287  
 PP  
 7



Aze/c

Article of Charge - II

Exhibit-A:

The rates of the genuine INDAL materials of M/S. Indian Alluminium C. Ltd., Mumbai without CST as on 1997 is as follows:

- |                               |       |                   |
|-------------------------------|-------|-------------------|
| 1. Rail Beading 5" INDAL 6346 | ----- | Rs. 31.95 per RFT |
| 2. Al. Strips INDAL 1459      | ----- | Rs. 3.04 per RFT  |
| 3. Water Channel INDAL 6250   | ----- | Rs. 8.15 per RFT  |
| 4. Water Channel INDAL 6339   | ----- | Rs. -----         |

Whereas, the rates of M/S. Vishuni Enterprises at the time of purchase in 1993/94 without CST is as given below:

1. Water Channel INDAL 6339 Rs. 546/- per piece of 15 ft.  
..... Rs.38.40 RFT
2. Al. Rail Beading INDAL 6346 Rs.530/- per piece of 12.3"  
..... Rs.41.06/RFT

3. Al. Water Channel INDAL 6250 @ Rs.11.16/RFT and the rate of M/s. Bharat All. Co. for Al. Water Channel INDAL 1459 was @ Rs.5.06 per RFT.

From the above, it is seen that the prices of M/s. INDAL in the year 1997 were much lower than the prices of M/s. Vishuni Enterprises in 1993-94. M/s. Vishuni Enterprises are not the authorised dealer or direct customer of M/s. INDAL, but the materials were purchased from M/s. Vishuni Enterprises which are not of genuine INDAL specifications. The said materials were also costlier than the material of genuine INDAL specifications. Thus, it can be safely said that the material purchased from M/s. Vishuni Enterprises were not of genuine INDAL SPECIFICATIONS WHICH K.T.C.L. intended to purchase. It was the duty of Shri Kamat to ~~bring~~ bring the above irregularities to the notice of higher authority at the time of scrutiny as a purchase Committee Member and subsequently at the time of verification of the bills for payment but he is in connivance with Shri Pramod A. Gaonkar, Purchase Officer and Shri Srikant V. Naik, Dy. General Manager(Tech) affected the ~~tr~~ transaction and payment thereby causing monetary loss to K.T.C.L.



A19/C

Article of Charge - VIII

Exhibit-B:

It is noticed that the materials like water channel (INDAL 6339) Rail Beading (INDAL 6346) Al. Strips (INDAL 1459) and water channel (INDAL 6250) have been purchased at higher rates and excess than required without authority and necessity and in some cases even without calling for quotations. The materials were purchased even when there was sufficient stock as can be seen from stock card. The quantity purchased was more than the monthly consumption of above materials. These materials were purchased in excess despite there is a letter dated 23.4.96 of M/s. Padhye & Co. and total 65 buses were disposed off from 1992 to 1996. The quantity required was not worked out properly and consequently resulting in excess procurement and blocking of Corporation funds with sole motive to cause monetary gain to the supplier. This was done in connivance with Shri Srikant V. Naik, Dy. General Manager (Tech.) and Shri Pramod Gaonkar, Purchase Officer.



Article of Charge - XI

4181

Exhibit-C:

It is noticed that the materials like water channel (INDAL 6339) Rail Beading (INDAL No.6346) Al. Strips (INDAL No.1459) and water channel (INDAL No.6250) have been purchased at higher rates and excess than required without authority and necessity and in some cases even without calling for quotations. The materials were purchased even when there was sufficient stock as can be seen from stock card. The quantity purchased was more than the monthly consumption of above materials. These materials were purchased in excess despite there is a letter dated 23.4.96 of M/s. Padhye & Co. and total 65 buses were disposed from 1993 to 1996. The quantity required was not worked out properly and consequently resulting in excess procurement and blocking of Corporation fund with sole motive to cause monetary gain to the supplier. These transactions were done in collusion with Shri Naik, Dy. G.M.(Tebh) and Shri Gaonkar, Purchase Officer.



147/C

EXH-D

which has not been done for which the then Purchase Officer Mr. Gaonkar and Mr. S.V. Naik whose responsibility was to scrutinise the quotations properly are to be held responsible.

7. It is further seen that under item code No.083111 (INDAL 6250 Al. water Channel), the purchase order was awarded to M/s Vishuni under G.R. No.2294 dated 27.12.94 in respect of quantity 510 Rft. for Rs.9,817.50. The records of enquiry purchase quotation, comparative statement is not made available and it has been confirmed by KTCL vide their letter No.KTCL/Admn/1-2-97 dated 29.9.97 that the purchase order might have been placed without inviting quotations as the subject quotation and C.S. are not available in the Purchase Department. It appears that there has been a violation of purchase procedure in procuring these items without authority and necessity and the then Purchase Officer is to be held responsible for the same.

8. As regards assessment of the bus body building material, it is seen that Mr. S.V. Naik vide his letter No.KTC/DyGM/9,93-94/373 dated 19.8.93 addressed to the Works Manager, Central Works Shop, Porvorim, instructed the Works Manager to carry out detail inspection of the aged fleet which had crossed more than 10 years to plan out the requirement considering output of around five buses per month. Upon instructions from Mr. Naik, the Works Manager, Central Workshop, Stores prepared indents under Nos. 75, 76 and 77 dated 30.8.93. In the said indents the requirements of water channels (INDAL No.6339), Rail beading (INDAL No. 6336) and Aluminium Strip (INDAL No.1459) and Water Channel (INDAL No.6250) have been given. The index cards in respect of the above items are maintained at Central Stores Porvorim and the rates mentioned against some of the items are stated to be worked out on weightage average basis (WAB).

On perusal of the cards in respect of water channel (INDAL No.6339, Code 012778) the rate as on 17.6.93 is entered as Rs.25.76, as on 22.4.94 as Rs.18.46, as on 27.12.94 as Rs.42.24 and as on 7.6.96 as Rs.26.77. On bare perusal of the same it is noticed that there has been an increase of rate from Rs.18.46 to 42.24 for the period from 22.4.94 to 27.12.94 and on 7.6.96 the rate is entered as Rs.26.77. This suggests that the material had been purchased on 27.12.94 at an exorbitant rate favouring the interested party. This is the case of purchase of 600 Rft. of water channel from Vishuni vide purchase order No.KLC/PUR/12/1421 dated 21.12.94 @ 42.24 per Rft. when in fact Hindustan Sales Agency had quoted @ of Rs.17.04 per Rft. i.e. material purchased at a higher rate by Rs.25.20 (42.24 - 17.04). It appears that this exercise was carried out with malafide intentions to give monetary benefits to the party and responsibility for this act solely lies on Mr. S.V. Naik, the then Dy.Gen. Manager (Tech)



EXH - C

ARMY ENGINEER CORPS  
STORES INDEBT

7/11/43

From Engineer Engineer  
 Stores Code 01 Main Group 01  
 To Stores Engineer  
 Stores Code 01  
 Date 30/10/43  
 Requested by Request  
 Incent No. 75  
 Special Indent   
 Vehicle No. 193  
 Requested by Request  
 Special Indent   
 Vehicle No. 193

Sr. No.	Code	Description	Part No.	U/M	Reqd.	In Stock	Quantity			Director's Remarks
							3 months consumption	Supplied	Balance	
01	012724	Seal Devil Rubber			2100					25
02	012351	Stg sup Rubber (10500)			10500					NIL
03	012111	Flexibld chain			7000					3502-325
04	012113	U Rubber for side plate			1750					2496 947
05	012120	U Rubber for front plate			1050					12 NIL
06	012384	Door Hinges 2 1/2" X 2"			175					10 12
07	012385	Door Hinges 2 1/2" X 2 1/2"			70					10 14
08	012611	Stopper plate			105					24 NIL
09	012211	Male & female rods			70					40 NIL
10	012083065	Wearing strip			2800					40 758
11	012677	Clamp for door belt			70					NIL NIL
12	012499	Door Add Right			35					03 12

Depot Manager [Signature] Stores Officer [Signature]  
 Storekeeper [Signature]

2182  
1194



EXH - F

INDENT CORPORATION LTD.  
STORES INDENT

MTC

From Engineering Dept Central workshop, Porvur ga

Stores Code 04

To Store: C/Stores, Porvur ga

Stores Code 02



Special Indent No. 76

Date 30/8/93

Regular Indent

Urgent Indent

Special Indent

Vor Indent

Main Group

Recd by Date

Vehicle No.

Sr. No.	Code	Description	Part No.	U/M	Quantity				Store Remarks
					Reqd.	In Stock	3 months Consumption	Supplied	
01	012500	Door Jack IH		NO	35				02 03
02	012066	Tower bolt 3"		NO	105				04 05
03	012031	Bearing Scket 5"		NO	175				NIL 75
04	012032	Bearing Scket 2"		NO	175				NIL 17
05	012079	U Bolt chassis		NO	210				NIL NIL
06	012078	U Bolt chassis		NO	350				03 20
07	012603	Alluminium pipe 1/2"		Feet	3780				1400 42
08	012608	Alluminium pipe 1"		Feet	175				NIL 42
09	000401	Hinges for battery box		NO	70				30 55
10	012382	Outer door handle		NO	35				4 NIL
11	012381	Inner door handle		NO	35				02 14
12	012965	Side show bearing kit		Feet	840				NIL 14

Depot Manager

Storekeeper

Stores Officer



NADARVA TRANSPORT CORPORATION LTD.  
STORES INDENT

Regular Indent  
 Urgent Indent  
 Special Indent  
 Vor Indent

From Engineering Dept Central workshop, Porvur  
Stores Code 01  
To Stores C/Stores, Porvur  
Stores Code 01  
Main Group



Indent No. 77  
Date 30/08/93  
Reqd by Date \_\_\_\_\_  
Vehicle No. \_\_\_\_\_

Sr. No.	Code	Description	Part No.	U/M	Quantity				Balance	Remarks
					Reqd.	In Stock	3 months Consumption	Supplied		
01	012778	Slide Gutter		ft	1260					NIL NIL
02	01267	front/ rear Gutter		No	360					NIL NIL
03	00003	twical		kg	35					65 20.5
04	00096	Canvas Belt 22		ft	280					914.6 100.5
05	00098	Canvas Belt 6"		MT	140					309 84
06	000896	Tarplast Compound		kg	140					300 40
07	000895	Tarplast Rolls		MT	175					60 52
08	000516	metafit		kg	140					28 10.5
09	064224	Reddy white paint		LT	175					263.5 124.5
10	064231	Reddy Blue paint		LT	140					279 61.5
11	064237	Red. paint		LT	35					27.7 4.5
12	064236	Black paint		LT	140					16 11.5

Correct code  
03111

Depot Manager

Storekeeper

Stores Officer

Stores Officer



413/c

Raised by Works Manager, Mr. V.V.S. Kunkolienker

Sr. No.	Material	C.W. Indent	C.S. Indent	Purchase Order	Quantity Indented/Ordered			G.R.N.
					CW Indent	CS Indent	Purchase Order	
1	2	3	4	5	6	7	8	9
1.	Alluminium Strips Code no.083066 (Indal 1459) (Ruby--)	75 dt. 30.8.93 <u>Special Indent</u>	1)3092 dt.31.7.93 2)3178 dt.11.9.93 3)3335 dt.17.1.94	1505 dt.18.11.93	2800 RFT	1)500RFT(bal) 2)1500RFT 3)1000RFT	2000RFT	186 dated (1)A22.4.94
					2800RFT	3000RFT	2000RFT	
2.	Rail Beeding Code no.012965 (Indal6346) (Ruby3177)	76 dt. 30.8.93 <u>Special Indent</u>	1)3178 dt.11.9.93 2) 3143dt.19.7.94	(1) 1433 dated 21.12.94 (2) 258 dated 4.6.94	840 RFT	1)800 RFT 2)200 RFT	1) 240 RFT 2) 380 RFT	1) 2295 dt. 27.12.94 2290 dated 27.12.94
					840 RFT	1040 RFT	620 RFT	
3.(A)	Alluminium Water Channel Code No.012778 (Indal6339) (Ruby 3177)	77 dt.30.8.93 <u>Special Indent</u>	1)3186 dt.11.9.93 2) 3143dt.19.7.94	(1)1170 dated 1.10.93 (2)1431 dated 21.12.94	1260 RFT	1200 RFT 1200 RFT	1) 1200 RFT 2) 600 RFT	1)GRR 169 dt.6.12.93 DC 325 dt. 15.12.93 2) A2294 dt.27.12.94
					1260 RFT	2400 RFT	1800 RFT	
3.(B)	Alluminium Water Channel Code No.083111 (Indal6250) (Ruby3183)	77 dt.30.8.93 <u>Special Indent</u>	1)3186 dt.11.9.93	(1)1192 dated 22.10.94 (2)1432 dated 21.12.94	560RFT	560 RFT	1) 48 RFT 2)510 RFT	1) 1515 dt.30.9.94 2)2294 dt. 27.12.94
							558 RFT	



Abbreviations Used:

CW ----- Central Workshop      GRN    --    Goods Receipt Note  
CS ----- Central Stores            GRR    --    Goods Rejection Report  
PO ----- Purchase Order            DC     --    Despatch Challan  
RFT ----- Running feet

NOTE:

From the column Nos. 7&8 it is evident that the purchase ~~order~~ Committee sanction reflected in the purchase order is within the limitations defined by Stores indent. It is not the case that purchase committee forced to purchase in excess of indented quantity. Reality is that the material requirement was wrongly assessed by W.M., Shri Kunkolienkar and as a result of which material in excess of requirement was procured and stocked. This had caused the blocking of funds and monetary gains if any to the Suppliers. This ~~has caused the blocking of funds~~ is exactly what management witness Shri Tukaram Pawse, Asstt. Controller of Stores say on page no.26 of his evidence.

" I say that the indents were placed as per the requirements of <sup>user</sup> ~~our~~ department but it was not my duty to check whether the user department actually required so much goods/spares."

" When I stated in my chief that items are procured on higher side, I ~~meant~~ meant to say that more items are purchased than are actually required or consumed by the KTC."



411/4  
Exhibit (i) :

Deposition of management witness, Shri T.K. Pawse, A.C.S.:

(a) It is true that I was required to give priority in forwarding the indents to Purchase section <sup>for</sup> spare parts requirement for major works body repairs as ~~perxxxx~~ furnished by Works Manager. -  
Shri - (Page No.3)

(b) Based on indents (75,76 & 77) Central Stores was required to raise its indents. - (Page No.6)

(c) As per the indent no.75 the stock available as regards the code no.083066 with Central Stores was 200 RFT and with Central Workshop 758 RFT and the indent raised by Central Stores was 1500 RFT --(page no.7).

(d) Indent no.3178 dated 11.9.93 for 800 RFT of INDAL 6346 was based on C.W. indent no.76. - (page no.12)

(e) It is true that indent 3186 dated 11.9.93 was raised by Central Stores for 1200 RFT and same is based on C.W. indent no.77 --(page No.14)

(f) I received the requisitions of structural items from the Works Manager. I raised the indents as per the requisition given by W.M. - (page no.16)

(g) Quality of material is verified by technical department including works manager.--(page No.17)

(h) Works Manager was only one at that time i.e. Mr. V.V.S. Kunkolienkar. --(page no.17)

(i) Once the technical person approved the material, the Store Keeper has to accept the same. -- (page no.17)

(j) The technical personnel approved the quality and specifications and if not found satisfactory, the goods are rejected by Central Stores, depending on the report of technical staff. --(page no.25)

(k) I say that indents were placed as per the requirement of user department. But it was not my duty to check whether the user department actually required so much goods/spares. --(page no.26)



Exhibit - (j):

410/c

Deposition by management witness, Shri Suresh Surlakar,  
Store keeper:

(a) Indents were raised based on the requirement of User department. -- (page no.1)

(b) I was not looking after quality of goods. The quality was to verify by the works manager.--(page no.1)

(c) If any excess material is received, I used to reject the same. --(page No.1)

(d) If the goods supplied are not as per quality prescribed then the goods are rejected. If the goods supplied more than what is indented or mentioned as purchase order then excess quantity is rejected. -- (page no.3)

(e) It is true that Purchase Officer ~~after~~ cannot issue purchase order for more quantity then what is indented by Stores. --(page no.3)

(f) The structural item of buses are only consumed by Central Workshop and indents are placed for such structural items by Central Workshop only. --(page no.4)

(g) The Alluminium waste, rail bedding, water channel, Alluminium strips are all bus Body items which are only indented by Central Workshop. --(page no.4)

(h) I agree that the purchase department is not responsible for non-used of items after purchase. The indent for said items was placed by Shri V.V.S. Kunkolienkar who was there as Works Manager of Central Workshop. -- (page no.4)

(i) These items may not have been consumed because the jobs for which they were brought may not have been executed fully. --(page no.4)



Exhibit-(k) :

4/24/12

Deposition by management witness, Shri Uttam B. Naik, A.F.C.:

(a) The payments are made to the parties by Finance department based on GRN and Invoice after its detail scrutiny & verification.

(b) I agree that in case excess quantity was supplied, then the indent, the Central Stores should have referred the matter to purchase committee. -- (page no.18)

(c) The Stores In-charge prepares the indent specifying the types of material, quality and quantity required. The Purchase Committee has nothing to do while indenting the same. --(page no.20)

(d) To my knowledge no enquiry or proceedings have been initiated against depot manager, Works manager or Central Stores in-charge for procuring excess quantity. -- (page no.21)

(e) It is true that Purchase Officer had no role to play while deciding the requirement. --(page no.21)

(f) I agree that when Central Stores place indent for any specific code number, the purchase officer had to procure the material with same code number. --(page no.23)



408/c

2669  
2817/205

Dated: 28.7.2000

During the year 1993-94, KTCL procured material such as water channel (Indal 6339), Rail beading, Alluminium strips and water channel (Indal 6250) to be used for major bus body repairs, a centralised activity of repairs engineered through the central workshop, Porvorim under the authority, supervision and control of Works Manager. The above said material was requisitioned, by Works Manager. The Asstt. Controller of Stores in-charge of Central Stores raised indents on purchase department for maintaining stocks and supply of such material to Works Manager. The works Manager in-charge of central workshop at the relevant point of time was Mr. V.V.S. Kunkolienkar.

The planning, procurement and stocking of the said material had been a issue of dispute for which undersigned had been chargesheeted and put to enquiry by KTCL vide Memo No.KTC/ADMN/1-2197-98/205 dated 4.3.98, undersigned Shri M.P. Kamat was the Dy. Finance Controller at the relevant time and acted as the member of Purchase Committee and in charge of Accounts and Finance.

The charges framed against me vide article of charges no. II, VIII & No.XI which are annexed herewith as Exh.(A), Exh.(B) & Exh.(C) are as follows:-

- (1) The material purchased was of non-genuine INDAL specifications. Exh.(A).
- (2) Material had been purchased in excess than required without authority and necessity. Exh.(B) & (C)
- (3) Material was purchased when there was sufficient stock. (Exh. (B) & (C).
- (4) Material purchased was more than monthly consumption requirements. Exh.(B) & (C)
- (5) The quantity of material was not worked out properly. Exh.(B) & (C)
- (6) The material was purchased without calling quotations. Exh. (B) & (C)
- (7) The excess procurement of material was with ~~max~~ sole motive to cause monetary gain to supplier. Exh. (B) & (C)
- (8) The excess material resulted in blocking funds of Corporation. Exh. (B) & (C)

.....7/-



The charge no.1 is regarding quality of material. The 407/c charges at sr.no.2,3,4 & 5 are regarding quantity of material. The charge no.6 is part of the procedure of purchases. The charges at sr. no.7 & 8 are the result of faulty planning and assessment of material following from charges at sr. 2,3,4 & 5. In short the charges enumerated above relate to the ~~same~~ qualitative and quantitative aspects of the material procured by KTCL. According ~~to~~ the functional responsibilities assigned by the Corporation, Works Manager, Shri V.V.S. Kunkolienkar remains to be the exclusive authority for planning and assessment of material required for his use in the Central Workshop. Works Manager, Shri V.V.S. Kunkolienkar also remains to be the exclusive Authority for approval of technical specification of material supplied by the parties for acceptance by authorities of Central Stores. Works Manager, Shri V.V.S. Kunkolienkar was the exclusive consumer of such material and authority <sup>used</sup> for reporting the quality and performance of material ~~used~~ in the repair activity in the Central Workshop. Assistant Controller of Central Stores Shri T.K. Pawse also assumes responsibility ~~for~~ for assessment of material vide charges no.2,3,4 & 5. The charge no.6 is a part of purchase procedure and responsibility of Purchase Officer. Last the monetary gain to the supplier and blocking funds of Corporation is attributable to works Manager, Shri V.V.S. Kunkolienkar arising out of defective requisitioning of material.

Undersigned was the Dy. Finance Controller at the relevant time and had nothing to do with the qualitative and quantitative aspects of material procured by KTCL so also consequences following from faulty planning of material. However, for the reasons best known to former M.D., Shri P.S. Reddy and through the instrument of Works Manager, Shri V.V.S. Kunkolienkar, myself had been loaded with several charges while W.M., Shri Kunkolienkar the real culprit behind the whole episode had been conveniently spared.

Management of KTCL furnished certain documents in support of article of charges framed against me and produced documents during the conduct of enquiry. Like-wise management of KTCL which instituted enquiry against Mr. P.A. Gaonkar, purchase Officer and Mr. S. V. Naik, Dy. General Manager(Tech) in course of evidence examined witnesses namely (1) Shri U.B. Naik, Asstt. Finance Controller (2) Shri Tukaram K Pawse, Asstt. Controller of Stores and (3) Shri Suresh B. Surfakar, Storekeeper. Such documentary evidences and depositions are annexed to this note as:



40/c

(1) Para no.8 on page no.11 of police report ~~xx~~ as the basis <sup>for</sup> enquiry against me confirming Indent Nos. 75, 76 & 77 da-ted 30.8.93 raised by Works Manager, Shri V.V.S. Kunkolienkar Exh.(D).

(2) Indent No.75 dated 30.8.93 raised by ~~xxx~~ works manager, Shri Kunkolienkar. (Exh(E)

(3) Indent no.76 dated 30.8.93 raised by works manager, Shri Kunkolienkar. (Exh.(F)

(4) Indent no.77 dated 30.8.93 raised by works Manager, Shri Kunkolienkar. Exh.(G)

(5) A chart showing processing of Indents No.75, 76 & 77 dated 30.8.93. Exh.(H)

(6) Deposition by management witness, Shri T.K. Pawse who processed the indents nos. 75,76 & 77 dated 30.8.93 raised by works manager, Shri Kunkolienkar. Exh.(I)

(7) Deposition by management witness, Shri Suresh Surlakar who processed indent nos. 75, 76 & 77 dated 30.8.93 raised by works manager, Mr. Kunkolienkar. Exh.(J)

(8) Deposition by management witness, Shri Uttam B. Naik, Asstt. Finance Controller who accounted the bills and paid for such material. Exh.(K)

Management own ~~management~~ evidence itself reveals without any doubt that series of malafides alleged against me involves Mr. V.V.S. Kunkolienkar, works manager at the relevent time. The indents nos. 75, 76 & 77 dated 30.8.93 which are all made by V.V.S.Kunkolienkar, W.M. alone <sup>are</sup> the starting points without which there would not have been stores indent and without stores ~~xx~~ indents a purchase order. It is also a ~~an~~ admitted position that Central Stores cannot accept material in excess and of specification deviating from the stores indent and without approval of quality from Mr.V.V.S.Kunkolienkar, W.M. Very fact that material GRN's were been prepared is conclusive evidence that the purchase order was within the stipulations of <sup>specifica-</sup> tions and quantity laid down by Stores indents. Material which was procured was to be used in Central Workshop and was under Central suvervision and use of W.M. V.V.S.Kunkolienkar. Hence failure to report lapses in quality and quantity alleged ~~xx~~ against me rest entirely with W.M., Mr. Kunkolienkar.

As against this , undersigned had absolutely no role to play in deciding the specifications and quantities as a member of purchase committee. Further acceptance of material according to quality is not the function of purchase committee. Under-signed was however, concerned with accounting and payments against the material according to Accounts procedures which has nothing to do with the stores & purchase procedures.



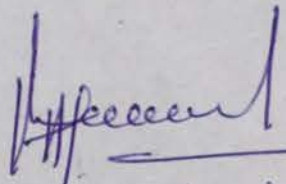
\* 4 -

905/c ✓

Since I have been made a victim for no error on my part, I call upon you to act positively against the real culprit in the whole deal. Management through its own documents and witnesses had confirmed and established that the irregularities that took place were in fact committed by works manager, Mr. Kunkolienkar. I require the management to divest Mr. Kunkolienkar from his substantive post of works manager and officiating Dy. General Manager(Tech) and institute an enquiry against him. The involvement of Mr. V.V.S. Kunkolienkar in other deals such as insurance of GA-01-X-138, purchase of aluminium from Ashoka Traders and misuse of official vehicles is already reported and on the records of K.T.C.L.

Please take a note that in case no action is taken within 30 days from the receipt of this letter, I shall be constrained to move further in this matter. This may be taken as intimation cum Notice in that regard, as the charges prima-facie on evidence and even otherwise on reading allegations, shows no cause against me, hence for such forceful action, the Corporation shall have to pay compensation which also be noted. Submitted in duplicate, a copy which may be forwarded to the B.O.D. through the Chairman, K.T.C.L.

To,  
The Managing Director,  
KTCL, Panaji-Goa

  
( M.D. Kamat )  
Statistical Officer

c.c. to:

The Secretary, (Transport)  
Govt. of Goa, Panaji.  
(Appealate Authority)

Encl: Exhibits "a" to "k".

C.C. Board of Directors.



Article of Charge - VIII

Exhibit-B:

404/c

It is noticed that the materials like water channel (INDAL 6339) Rail Beading (INDAL 6346) Al. Strips (INDAL 1459) and water channel (INDAL 6250) have been purchased at higher rates and excess than required without authority and necessity and in some cases even without calling for quotations. The materials were purchased even when there was sufficient stock as can be seen from stock card. The quantity purchased was more than the monthly consumption of above materials. These materials were purchased in excess despite there is a letter dated 23.4.96 of M/s. Padhye & Co. and total 65 buses were disposed off from 1992 to 1996. The quantity required was not worked out properly and consequently resulting in excess procurement and blocking of Corporation funds with sole motive to cause monetary gain to the supplier. This was done in connivance with Shri Srikant V. Naik, Dy. General Manager (Tech.) and Shri Pramod Gaonkar, Purchase Officer.



4036

Article of Charge - XI

Exhibit-C:

It is noticed that the materials like water channel (INDAL 6339) Rail Beading (INDAL No.6346) Al. Strips (INDAL No.1459) and water channel (INDAL No.6250) have been purchased at higher rates and excess than required without authority and necessity and in some cases even without calling for quotations. The materials were purchased even when there was sufficient stock as can be seen from stock card. The quantity purchased was more than the monthly consumption of above materials. These materials were purchased in excess despite there is a letter dated 23.4.96 of M/s. Padhye & Co. and total 65 buses were disposed from 1993 to 1996. The quantity required was not worked out properly and consequently resulting in excess procurement and blocking of Corporation fund with sole motive to cause monetary gain to the supplier. These transactions were done in collusion with Shri Naik, Dy. G.M. (Tebh) and Shri Gaonkar, Purchase Officer.



Article of Charge - II

*work*

Exhibit-A:

The rates of the genuine INDAL materials of M/S. Indian Aluminium Co. Ltd., Mumbai without CST as on 1997 is as follows:

- |                               |       |                   |
|-------------------------------|-------|-------------------|
| 1. Rail Beading 5" INDAL 6346 | ----- | Rs. 31.95 per RFT |
| 2. Al. Strips INDAL 1459      | ----- | Rs. 3.04 per RFT  |
| 3. Water Channel INDAL 6250   | ----- | Rs. 8.15 per RFT  |
| 4. Water Channel INDAL 6339   | ----- | Rs. -----         |

Whereas, the rates of M/S. Vishuni Enterprises at the time of purchase in 1993/94 without CST is as given below:

- |                                |                               |
|--------------------------------|-------------------------------|
| 1. Water Channel INDAL 6339    | Rs. 546/- per piece of 15 ft. |
|                                | ..... Rs.38.40 RFT            |
| 2. Al. Rail Beading INDAL 6346 | Rs. 530/- per piece of 12.3"  |
|                                | ..... Rs.41.06/RFT            |

3. Al. Water Channel INDAL 6250 @ Rs.11.16/RFT and the rate of M/s. Bharat Al. Co. for Al. Water Channel INDAL 1459 was @ Rs.5.06 per RFT.

From the above, it is seen that the prices of M/s. INDAL in the year 1997 were much lower than the prices of M/s. Vishuni Enterprises in 1993-94. M/s. Vishuni Enterprises are not the authorised dealer or direct customer of M/s. INDAL, but the materials were purchased from M/s. Vishuni Enterprises which are not of genuine INDAL specifications. The said materials were also costlier than the material of genuine INDAL specifications. Thus, it can be safely said that the material purchased from M/s. Vishuni Enterprises were not of genuine INDAL SPECIFICATIONS WHICH K.T.C.L. intended to purchase. It was the duty of Shri Kamat to bring the above irregularities to the notice of higher authority at the time of scrutiny as a purchase Committee Member and subsequently at the time of verification of the bills for payment but he is in connivance with Shri Pramod A. Gaonkar, Purchase Officer and Shri Srikant V. Raik, Dy. General Manager (Tech) effected the transaction and payment thereby causing monetary loss to K.T.C.L.



AOK

EXH D

which has not been done for which the then Purchase Officer Mr. Gaonkar and Mr. S.V. Naik whose responsibility was to scrutinise the quotations properly are to be held responsible.

7. It is further seen that under item code No.083111 (INDAL 6250 Al. water Channel), the purchase order was awarded to M/s Vishuni under G.R. No.2294 dated 27.12.94 in respect of quantity 510 Rft. for Rs.9,817.50. The records of enquiry purchase quotation, comparative statement is not made available and it has been confirmed by KTCL vide their letter No.KTCL/Admn/1234 dated 29.9.97 that the purchase order might have been released without inviting quotations as the subject quotations and records are not available in the Purchase Department. It appears that there has been a violation of purchase procedure in procuring these items without authority and necessity and the then Purchase Officer is to be held responsible for the same.

8. As regards assessment of the bus body building material, it is seen that Mr. S.V. Naik vide his letter No.KTC/DyGM/9.93-94/373 dated 19.8.93 addressed to the Works Manager, Central Works Shop, Porvorim, instructed the Works Manager to carry out detail inspection of the aged fleet which had crossed more than 10 years to plan out the requirement considering output of around five buses per month. Upon instructions from Mr. Naik, the Works Manager, Central Workshop, Stores prepared indentals under Nos. 75, 76 and 77 dated 30.8.93. In the said indentals the requirements of water channels (INDAL No.6339), Rail beading (INDAL No. 6340) and Aluminium Strip (INDAL No.1459) and Water Channel (INDAL No.6250) have been given. The index cards in respect of the above items are maintained at Central Stores Porvorim and the rates mentioned against some of the items are stated to be worked out on weightage average basis (WAB).

On perusal of the cards in respect of water channel (INDAL No.6339, Code 012778) the rate as on 17.6.93 is entered as Rs.25.76, as on 22.4.94 as Rs.18.46, as on 27.12.94 as Rs.42.24 and as on 7.6.96 as Rs.26.77. On bare perusal of the same it is noticed that there has been an increase of rate from Rs.18.46 to 42.24 for the period from 22.4.94 to 27.12.94 and on 7.6.96 the rate is entered as Rs.26.77. This suggests that the material has been purchased on 27.12.94 at an exorbitant rate favouring the interested party. This is the case of purchase of 600 Rft. of water channel from Vishuni vide purchase order No.KLC/PUR/12/1431 dated 21.12.94 @ 42.24 per Rft. when in fact Hindustan Sales Agency had quoted @ of Rs.17.04 per Rft. i.e. material purchased at a higher rate by Rs.25.20 (42.24 - 17.04). It appears that this exercise was carried out with malafide intentions to give monetary benefits to the party and responsibility for this act solely lies on Mr. S.V. Naik, the then Dy.Gen. Manager (Tech).



2/200

MINIATURES UNIT  
STORES INCIDENT

From Engineering Dept. Chittabadi  
 Stores Code 012 083065  
 To Stores Chittabadi  
 Stores Code 012  
 Main Group 01  
 Request No. 75  
 Date 30/12/193  
 Requested by Special Indent  
 Vehicle No. 193  
 Requested by Special Indent

Sr. No.	Code	Description	Part No.	U/M	Reqd.	In Stock	Quantity			Remarks
							3 months Consumption	Supplied	Balance	
01	012-724	Seat Belt Rubber			2100					6130 25
02	012-384	Stitching Rubber (10500)			110500					NIL NIL
03	012-111	Flexible chains			7000					3502-325
04	012-1133	U Rubber for side plate			1750					2196 947
05	012-120	U Rubber for front plate			1050					12 NIL
06	012-384	Door Hinges 2 1/2" X 2"			175					10 12
07	012-385	Door Hinges 2 1/2" X 2 1/2"			70					10 14
08	012-611	Stopper plate			105					24 NIL
09	012-221	Male & female socket			70					40 NIL
10	012-083065	Wearing strip			2800					240 758
11	012-67	Clamp for door belt			70					415 NIL
12	012-499	Door lock Right			35					03 12

Depot Manager [Signature]  
 Stores Officer [Signature]  
 Storekeeper [Signature]



**KADAMBA TRANSPORT CORPORATION LTD.**  
**STORES INDENT**

Regular Indent  
 Urgent Indent  
 Special Indent  
 Vor Indent

From Engineering Dept Central workshop, Porvur  
Stores Code 01  
To Stores C/Stores, Porvur  
Store Code 01  
Main Group \_\_\_\_\_



Indent No. 77  
Date 30/08/93  
Reqd by Date \_\_\_\_\_ Vehicle No. \_\_\_\_\_

299/c

Sr. No.	Code	Description	Part No.	U/M	Quantity				Remarks	
					Reqd.	In Stock	3 months Consumption	Supplied		Balance
01	012778	Slide Gutter	1260	ft					Correct code	NIL 412
02	01267	front/rear Gutter	360	Nd					0-311	NIL 411
03	00003	Technical	35	kg						65 20.5
04	00096	Canvas Belt 22	280	ft						94.6 100.5
05	00098	Canvas Belt 6"	140	MT						309 84
06	000896	Tarplast Compound	140	kg						300 42
07	000895	Tarplast Rolls	175	MT						60 52
08	000516	metafit	140	kg						28 10.5
09	064224	Ruby white paint	175	lt						263.5 124.5
10	064231	Ruby Blue paint	140	lt						279 61.5
11	064237	Red. Paint	35	lt						27.7 4.5
12	064236	Black paint	140	lt						16 11.5

[Signature]  
Depot Manager

[Signature]  
Stores Officer

Stores Officer

Stores Officer



INDENT CORPORATION LTD.  
STORES INDENT

From Engineering Dept Central workshop, Porvur ga  
 Stores Code 04  
 To Store: C/Stores, Porvur ga  
 Stores Code 2  
 Main Group



Special  
 Indent No. 76  
 Date 30/8/93  
 Recd by Date: \_\_\_\_\_  
 Vehicle No. \_\_\_\_\_

Regular Indent  
 Urgent Indent  
 Special Indent  
 Vor Indent

Sr. No.	Code	Description	Part No.	U/M	Quantity				3 mos. Remarks
					Reqd.	In Stock	3 months Consumption	Supplied	
01	012500	Door Jack IH		NO	35				06 03
02	012066	Tower bolt 3"		NO	105				34 05
03	012031	Bearing Socket 5"		NO	175				NIL 75
04	012032	Bearing Socket 2"		NO	175				NIL 17
05	012079	U Bolt chassis		NO	210				NIL NIL
06	012078	U Bolt chassis		NO	350				03 20
07	012603	Aluminium pipe 1/2"		feet	3280				1401 42
08	012608	Aluminium pipe 1"		feet	175				NIL NIL
09	000401	Hinges for battery box		NO	70				30 55
10	012382	Outer door handle		NO	35				NIL NIL
11	012381	Inner door handle		NO	35				02 NIL
12	012965	Side show bearing kit		feet	840				NIL 14

Depot Manager

Storekeeper

Stores Officer



Exh. 'H' CHART SHOWING PROCESSING OF INDENTS No.75,76 & 77 dated 30.8.93

Raised by Works Manager, Mr. V.V.S. Kunkolinkar

397/c

Sr. No.	Material	C.W. Indent	C.S. Indent	Purchase Order	Quantity Indented/Ordered			G.R.N.
					CW Indent	CS Indent	Purchase Order	
1	2	3	4	5	6	7	8	9
1.	Alluminium Strips Code no.083066 (Indal 1459) (RubY-)	75 dt. 30.8.93 <u>Special Indent</u>	1)3092 dt.31.7.93 2)3178 dt.11.9.93 3)3335 dt.17.1.94	1505 dt.18.11.93	2800 RFT	1)500RFT(bal) 2)1500RFT 3)1000RFT	2000RFT N/A 2000RFT	186 dated (1)22.4.94
					2800RFT	3000RFT	2000RFT	
2.	Rail Bedding Code no.012965 (Indal6346) (Ruby3177)	76 dt. 30.8.93 <u>Special Indent</u>	1)3178 dt.11.9.93 2) 3143dt.19.7.94	(1) 1433 dated 21.12.94 (2) 258 dated 4.6.94	840 RFT	1)800 RFT 2)240 RFT	1) 240 RFT 2) 380 RFT	1) 2295 dt. 27.12.94 2290 dated 27.12.94
					840 RFT	1040 RFT	620 RFT	
3.(A)	Alluminium Water Channel Code No.012778 (Indal6339) (Ruby 3177)	77 dt.30.8.93 <u>Special Indent</u>	1)3186 dt.11.9.93 2) 3143dt.19.7.94	(1)1170 dated 1.10.93 (2)1431 dated 21.12.94	1260 RFT	1200 RFT 1200 RFT	1) 1200 RFT 2) 600 RFT	1)GRR 169 dt.6.12.93 DC 325 dt. 15.12.93 2) A2294 dt.27.12.94
					1260 RFT	2400 RFT	1800 RFT	
3.(B)	Alluminium Water Channel Code No.083111 (Indal6250) (Ruby3183)	77 dt.30.8.93 <u>Special Indent</u>	1)3186 dt.11.9.93	(1)1192 dated 22.10.94 (2)1432 dated 21.12.94	560RFT	560 RFT	1) 48 RFT 2)510 RFT	1) 1515 dt.30.9.94 2)2294 dt. 27.12.94
					560 RFT	560 RFT	558 RFT	



3741C

Abbreviations Used:

CW	-----	Central Workshop	GRN	---	Goods Receipt Note
CS	-----	Central Stores	GRR	---	Goods Rejection Re
PO	-----	Purchase Order	DC	---	Despatch Challan
RFT	-----	Running feet			

NOTE:

From the column Nos. 7&8 it is evident that the purchase ~~xxxx~~ Committee sanction. reflected in the purchase order is within the limitations defined by Stores indent. It is not the case that purchase committee forced to purchase in excess of indented quantity. Reality is that the material requirement was wrongly assessed by W.M., Shri Kunkolienkar and as a result of which matterial in excess of requirement was procured and stocked. This had caused the blocking of funds and monetary gain if any to the Suppliers. This ~~xxxxxx~~ blocking ~~xxxx~~ funds is exactly what management witness Shri Tukaram Pawse, Asstt. Controller of Stores say on page no.26 of his evidence.

" I say that the indents were placed as per the requirements of <sup>user</sup> ~~our~~ department but it was not my duty to check whether the user department actually required so much goods/spares."

" When I stated in my chief that items are procured on higher side, I ~~xxxx~~ meant to say that more items are purchased than are actually required or consumed by the KTC."



385/c

Exhibit - (i) :

Deposition of management witness, Shri T.K. Pawse, A.C.S.:

(a) It is true that I was required to give priority in forwarding the indents ~~to Purchase section~~ <sup>for</sup> spare parts requirement for major works body repairs as ~~per~~ furnished by Works Manager. -  
Sikri - (Page No.3)

(b) Based on indents (75,76 & 77) Central Stores was required to raise its indents. - (Page No.6)

(c) As per the indent no.75 the stock available as regards the code no.083066 with Central Stores was 200 RFT and with Central Workshop 758 RFT and the indent raised by Central Stores was 1500 RFT --(page no.7).

(d) Indent no.3178 dated 11.9.93 for 800 RFT of INDAL 6346 was based on C.W. indent no.76. - (page no.12)

(e) It is true that indent 3186 dated 11.9.93 was raised by Central Stores for 1200 RFT and same is based on C.W. indent no.77 --(page No.14)

(f) I received the requisitions of structural items from the Works Manager. I raised the indents as per the requisition given by W.M. - (page no.16)

(g) Quality of material is verified by technical department including works manager.--(page No.17)

(h) Works Manager was only one at that time i.e. Mr. V.V.S. Kunkolienkar. --(page no.17)

(i) Once the technical person approved the material, the Store Keeper has to accept the same. -- (page no.17)

(j) The technical personnel approved the quality and specifications and if not found satisfactory, the goods are rejected by Central Stores, depending on the report of technical staff. --(page no.25)

(k) I say that indents were placed as per the requirement of user department. But it was not my duty to check whether the user department actually required so much goods/spares. --(page no.26)



394/e

Exhibit - (1):

Deposition by management witness, Shri Suresh Surlakar,  
Store keeper:

---

(a) Indents were raised based on the requirement of User department. -- (page no.1)

(b) I was not looking after quality of goods. The quality was to verify by the works manager.--(page no.1)

(c) If any excess material is received, I used to reject the same. --(page No.1)

(d) If the goods supplied are not as per quality prescribed then the goods are rejected. If the goods supplied more than what is indented or mentioned as purchase order then excess quantity is rejected. -- (page no.3)

(e) It is true that Purchase Officer ~~after~~ cannot issue purchase order for more quantity than what is indented by Stores. --(page no.3)

(f) The structural item of buses are only consumed by Central Workshop and indents are placed for such structural items by Central Workshop only. --(page no.4)

(g) The Alluminium waste, rail bedding, water channel, Alluminium strips are all bus body items which are only indented by Central Workshop. --(page no.4)

(h) I agree that the purchase department is not responsible for non-used of items after purchase. The indent for said items was placed by Shri V.V.S. Kunkolienkar who was there as Works Manager of Central Workshop. -- (page no.4)

(i) These items may not have been consumed because the jobs for which they were brought may not have been executed fully. --(page no.4)



393/c

Exhibit-(k) :

Deposition by management witness, Shri Uttam B. Naik, A.F.C.:

(a) The payments are made to the parties by Finance department based on GRN and Invoice after its detail scrutiny & verification.

(b) I agree that in case excess quantity was supplied, then the indent, the Central Stores should have referred the matter to purchase committee. -- (page no.18)

(c) The Stores In-charge prepares the indent specifying the types of material, quality and quantity required. The Purchase Committee has nothing to do while indenting the same. --(page no.20)

(d) To my knowledge no enquiry or proceedings have been initiated against depot manager, Works manager or Central Stores in-charge for procuring excess quantity. -- (page no.21)

(e) It is true that Purchase Officer had no role to play while deciding the requirement. --(page no.21)

(f) I agree that when Central Stores place indent for any specific code number, the purchase officer had to procure the material with same code number. --(page no.23)



392/c  
2252  
13/2/2000  
Dated: 13/7/2000

To,  
The Managing Director,  
KTCL, Panaji-Coa.

Sir,

I am writing to confirm the telephonic conversation with you yesterday i.e. 12.7.2000 at 15.35 hours regarding misuse of official vehicle by V. V. S. Kunkolienkar, Dy.GM(Tech) of your Corporation. V. V. S. Kunkolienkar attended the court at Margao in a Criminal case wherein he is the accused, with KTCL Tata mobile GGH-11. This amounts to use of official vehicle for personal purposes and therefore a misconduct.

X  
I have earlier reported the use of KTCL vehicle for to and fro residential conveyance by V. V. S. Kunkolienkar, about which no action has been taken. I have also seen said vehicle GGH-11 coming from Margao around 9.25 a.m. in the morning of 12th July, 2000. This means that the vehicle was taken to Margao previous evening of 11.7.2000. Since GGH-11 was again found at Margao at 15.35 hrs. it means that the vehicle which had come to Panaji in the morning had returned to Margao in the evening. This is contrary to the directives of Board and calls for disciplinary action against V. V. S. Kunkolienkar. Vehicle running position of GGH-11 on 11th & 12th July, 2000 may be scrutinised. I hope cognisance of this note ~~will~~ will be taken and said V. V. S. S. Kunkolienkar be prohibited from making use of KTCL vehicle for the purpose of residential conveyance from this evening of 13th July, 2000.

Yours faithfully,

  
( M. P. Kamst )

Copy to:

- 1) Personnel Officer, KTCL.
  - 2) The Secretary Transport (Appeale authority)  
Encl: letter dated:
- C




3911e

No.KTC/PERS/566/00-01/ 736  
Kadamba Transport Corpn.Ltd.,  
Panaji-Goa.

Date: 26.7.2000

To,  
Shri Mahesh P.Kamat,  
Statistical Officer,  
K.T.C.L.,  
Panaji-Goa.

With reference to your letter dated 4.7.2000,  
you are hereby directed to take up the matter with  
Shri G.G.Kambli, Enquiry Officer/Director of Panchayat,  
Panaji-Goa.

  
( S.D. DESSAI )  
Managing Director

C c,  
Shri G.G.Kambli,  
Director of Panchayats,  
Junta House, 3rd Floor,  
Panaji-Goa.

--- for information  
He is requested to expedite  
the enquiry accordingly.

27/7

ole





No.KTC/PERS/566/00-01/  
Kadamba Transport Corpn. Ltd.,  
Peneji-Goa.

Date: 26.7.2000

To,  
Shri Mahesh P.Kamat,  
Statistical Officer,  
K.T.C.L.,  
Peneji-Goa.

With reference to your letter dtd. 19.6.2000,  
it is inform you that, Corporation have not supplied  
xerox copies of documents such as Charge Sheet  
dtd. 3.11.97 etc. to Shri V.V.S.Kunkolisakar,  
Dy.General Manager(Tech) till date.

( S.B.DESSAI )  
Managing Director




391/e  
No.KTC/PERS/500/00-01, 736  
Kadamba Transport Corpn.Ltd.,  
Panaji-Goa.

Date: 26.7.2000

To,

Shri Mahesh P.Kamat,  
Statistical Officer,  
K.T.C.L.,  
Panaji-Goa.

With reference to your letter dated 4.7.2000,  
you are hereby directed to take up the matter with  
Shri G.G.Kambli, Enquiry Officer/Director of Panchayat,  
Panaji-Goa.

  
( S.D. DESSAI )  
Managing Director

C c,

Shri G.G.Kambli,  
Director of Panchayats,  
Junta House, 3rd Floor,  
Panaji-Goa.

--- for information <sup>h</sup>  
He is requested expediate  
the enquiry accordingly.



390/c

2000  
31/2/2000

Dated: 3/7/2000

Regd: Insurance of vehicle No. GA-01-X138

Luxury bus bearing registration No. GA-01-X138 remained off-road on account of major accident repairs from 17.12.96 to 23.8.99. The off-road position is confirmed by Works Manager vide letter No. KTC/ /CWS/63/2020/324 dated 2.9.99. The said vehicle was insured with external insurance Company M/s Oriental Insurance Company Ltd as per insurance certificate dated 24.4.98. Insurance premium of Rs. 7739/- is paid to cover the risk of third party public and property damage and also includes the risk towards drivers, conductors and passengers. The policy specifically excludes own damage risks. From 25.4.1998 to 24.4.99 and from 25.4.99 to 23.8.99, the said vehicle was under repairs at workshop whereas during the period from 25.4.98 to 24.4.99, the vehicle was under third party risk cover resulting in avoidable financial expenditure of Rs. 7739/-, the said risk cover was withdrawn w.e.f. 25.4.99 to 23.8.99, the status of vehicle from 25.4.98 to 23.8.99 remaining same.

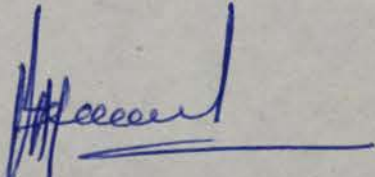
The purpose of insurance policy was self defeating. The said vehicle while it was not in services and remaining off-road in own Workshop for repairs, does not carry the risk of third party public and property damages. The said vehicle during the relevant period was not rendering passenger services therefore, insuring the said vehicle against risk to driver, conductor and passenger was an absurd proposition. The said vehicle while under repairs might have exposed to risk of own damages to the property of KTCL, but unfortunately does not cover the risk of own damages. In short the insurance cover obtained by incurring and expenditure of Rs. 7739/- was mere financial sacrifice and an act arising out of negligence of Works Manager in charge Shri V. V. S. Kunkolienkar and justifies a disciplinary action and recovery. The supporting documents referred herein are already placed on records vide note submitted earlier dated 24.9.99.

Vide note dated 3.5.2000, I have reproduced article of charge no. 12 framed against me for causing financial loss of Rs. 12/- to KTCL resulting from violation of purchase committee decision. The KTCL management while defending its case had produced documentary evidence which proves the said order was signed by Shri Tukaram Pawase, acting Purchase Officer. The said Tukaram Pawase, in capacity of management witness had confirmed his acts done while officiating as Purchase Officer. Undersigned Shri M. P. Kamat is booked for wrongful act of Tukaram Khandekar Pawase.



3891e

The financial loss of Rs. 7739/- now under report is more serious in nature as resulting directly from the self negligence amounting to misconduct from V. V. S. Karkolienkar and of magnitu 645 times greater than alleged wrongfully to have been done by M. P. Kamat. A thorough investigation in the insurance deal of KTCL as well as desciplinary action for the financial loss of Rs. 7739/- should be initisted.

  
M. P. Kamat -

To,  
M. D. KTCL.  
C. C. to: Personnel Officer, KTCL.





1476  
4/7/2000

2051  
512/2000

388/c

Dated: 4th July'2000

SUB: ENQUIRY  
=====

Sir,

Vide Order No.KTC/ADMN/1-2/97-98/205 dated 4.3.98 enquiry is being initiated against me. Mr. A. Gaikwad was appointed as the Enquiry Officer in the case vide Order No.KTC/ADMN/1-2/97-98/122 dated 31.3.98. However, for the reasons best known to the management, the enquiry Officer was changed vide Order No.KTC/ADMN/1-2/99-2000/4164 dated 23.3.2000 and Shri G.G. Kampli, Director of Panchayat is appointed as the new Enquiry Officer.

Shri G.G. Kampli, Enquiry Officer in the first sitting had made it clear that he will be holding enquiry for not more than half an hour on any day due to his pre-occupation with other official engagements.

With this situation in the backdrop, I would like to place following facts for consideration of management of KTCL.

(a) Enquiry ~~Officer~~ is volumeneous as can be seen from the charge-sheet itself. From the date of initiation of enquiry on 31.3.98 , KTCL had produced only one witness for deposition with respect to whom the cross is just began. The enquiry proceedings had run in 39 no. of pages as on date with respect to one witness and 6 more witnesses to follow from KTCL plus of course the witness of the charge-sheeted officer.

(b) Similar enquiry is also in progress against other two Officers of KTCL namely Mr. P. A. Gaonkar former Purchase Officer and Shri S.V. Naik, Dy. G.M.(Tech). The enquiry is in progress for three years by now with deposition and examination of only 3 management witnesses being completed in as much as 80 sittings and more witnesses follow. It is important to note that this enquiry is being held by independent enquiry Officer and presenting Officers from outside, which itself speaks about the volume involved in the assignment.

.....2/-

2  
PC



3871e

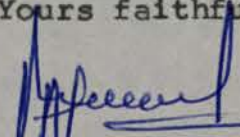
(c) I have engaged a professional to defend my case on chargeable basis. It is important to note that because enquiry was fixed at Margao, I had to change the Advocate from Panaji and hire someone from Margao. Now that the enquiry is shifted to Panaji again. I am compelled to either transport the advocate to Panaji or substitute someone from Panaji again.

In view of the short duration proceedings imposed by Shri G.G. Kambli, new enquiry Officer, not only that the enquiry shall be unduly delayed and would prove to be a costly affair for me. Hence in all fairness I propose:-

- (A) The duration of proceedings on any enquiry date be extended to a minimum of 2½ to 3 hours. KTCL may take up the matter with Enquiry Officer.
- (B) The Enquiry Officer may be changed if option is (A) is ~~not~~ not workable.
- (C) KTCL may bear the proportionate fees of ~~the~~ the professional engaged by me for <sup>the</sup> utilised time beyond half an hour if options at (A) & (B) are not workable.

I leave it to the descretion of KTCL to choose best of the three options as it may deem fit.

Yours faithfully,

  
 ( M. P. Kamat )  
 Charge-sheeted Officer

To,  
The Managing Director,  
KTC Ltd., Panaji-Goa.

c.c. to:

Shri G.G. Kambli, Enquiry Officer,  
Director of Panchayats, Junta House,  
3rd Floor, Panaji - Goa.



From: M. P. Kamat  
Panaji-Goa.

Dated: 19/6/2000

386/e

To,

Managing Director,  
KTCL, Panaji-Goa.

V. V. S. Kunkolienkar  
1656  
19/6/2000

Sir,

V. V. S. Kunkolienkar, had filed an application in the Court of IInd additional Civil Judge, Senior Div. of Salcete, at Margao wherein at para No. 4 he had stated that he had applied for certain documents and got xerox copies on 26.4.2000. These documents are pertaining to me and are as under:

1. Charge-sheet dated 3.11.1999.
2. Letter from Chowgule Industries Ltd. dated 15.1.1998
3. Sai Service Station Ltd. dated 5.5.1997

Kindly confirm that V. V. S. Kunkolienkar had applied for documents and he had been provided with the xerox copies on 26.4.2000 by KTCL.

  
( M. P. Kamat )

c.c. to: Personnel Officer

M. P. Kamat



CONFIDENTIAL

3851 ✓  
No. KTC/LA/BM-95/98-99/77  
Legal Department,  
K. T. C. L.,  
Panaji, Goa.

16th May, 1998.

NOTE

The Board of Directors of KTCL in its 95th meeting held on 23.4.98 passed the following resolutions. The same are forwarded herewith for information and further necessary action. These resolutions are subject to confirmation in the next meeting.

1. RESOLUTION NO. 957:

"RESOLVED THAT the proposal to appoint Shri S.P. Patnekar, as Enquiry Officer, Shri Peter Fernandes as Presenting Officer in respect of the enquiry against Shri S.V. Naik and Shri Pramod Gaonkar, be and is hereby approved."

"RESOLVED FURTHER THAT the appointment of Shri A.M. Gaikwad as Enquiry Officer and Shri V.V.S. Kunkolienkar as Presenting Officer in respect of enquiry against Shri M.P. Kamat, be and is hereby approved."

"RESOLVED FURTHER THAT the payment to be made to Shri S.P. Patnekar, Shri Peter Fernandes and Shri A.M. Gaikwad shall be Rs. 500/- per hearing."

"RESOLVED FURTHER THAT the Managing Director be and is hereby authorised to take all necessary action in the matter."

2. RESOLUTION NO. 958:

"RESOLVED FURTHER THAT the proposal to recommend to the Govt. to include the workers Representative, Shri Joaquim Fernandes, as Directors on the Board of Directors of KTCL, be and is hereby approved."

"RESOLVED FURTHER THAT the Managing Director be and is hereby authorised to take all necessary action in the matter."

...2/-

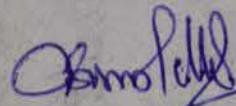


3. -RESOLUTION NO. 959:

"RESOLVED THAT the proposal to appoint Secretary (Transport) Govt. of Goa as Appellate Authority in Disciplinary Cases, in respect of Group 'A' & 'B' Officers of the Corporation, be and is hereby approved."

"RESOLVED FURTHER THAT the proposal be forwarded to the Govt. of Goa."

"RESOLVED FURTHER THAT the Managing Director be and is hereby apprised to take all necessary action in the matter."

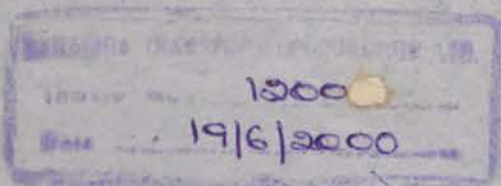


( R.K. Pillai. )  
Legal Advisor.

To: Dy. G.M. (Trf)

: P.O.





From: M. P. Kamat  
Panaji-Goa.

386/e

Dated: 19/6/2000

1095  
20/6/2000

To,

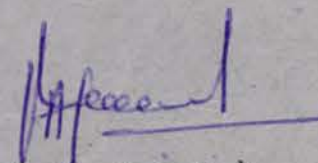
Managing Director,  
KTCL, Panaji-Goa.

Sir,

V. V. S. Kunkolienkar, had filed an application in the Court of IInd additional Civil Judge, Senior Div. of Salcete, at Margao wherein at para No. 4 he had stated that he had applied for certain documents and got xerox copies on 26.4.2000. These documents are pertaining to me and are as under:

1. Charge-sheet dated 3.11.1999.
2. Letter from Chowgule Industries Ltd. dated 15.1.1998
3. Sai Service Station Ltd. dated 5.5.1997

Kindly confirm that V. V. S. Kunkolienkar had applied for documents and he had been provided with the xerox copies on 26.4.2000 by KTCL.

  
( M. P. Kamat )

c.c. to: Personnel Officer

*Handwritten initials/signature*

*Handwritten signature*

*Handwritten initials/signature*



623  
12/5/2000

NOTE:

I am sick and cannot report.  
forwarded for information.

383K/c

12.5.2000

**V. S. S.**  
PERSONNEL DEPARTMENT  
INWARD No. 825  
DATE 15/5/2000

M. P. Kamat  
(M. P. Kamat)

To  
Managing Director,  
KTC.  
Bangalore.

*(Handwritten signature)*



DATE : 9.5.2000

383012

NOTE

KTCL had instituted enquiry against Shri S. V. Naik, DY GM(Tech) Shri M. P. Kamat, Dy. F.C. and Shri Pramod Gaonkar, Purchase Officer being the members of Purchase Committee for purchasing non-genuine Indal Alluminium bus body materials from M/s Vishuni Enterprises at higher rates when the purchase prices of genuine Indal material of M/s Indian Alluminium Company Ltd. Mumbai were on lower side in violation of purchase procedure and without approvals causing monetary losses to KTCL, amounting to mis conduct.

While the memorandum No. KTC/ADMN/1-2/97-98/205 dated 4.3.98 was issued and inquiry proceeding set in progress from June, 1998, the incoming purchase Committee consisting of P. S. Reddy (MD), V. V. S. Kunkolienkar, Dy. GM(Tech) George Fernandes, Purchase Officer and Y. D. Gaude, Accountant were engaged in procuring non-genuine Indal Alluminium bus body material from M/s Ashoka Traders, Margao at higher rates, without approval and violation of purchase procedure as detailed out in the enclosed note. T. K. Pawase, ACS supported the connivance by accepting the material supplied to him in violation of purchase procedures. This note is founded on the same logic and carries same contentions of irregularities amounting to misconduct with the substitution of the name of the party and members of purchase Committee.

The offence/irregularity now reported is of more serious nature than the one under investigation in view of the facts below:

- (1) Dy. GM(Tech) as member of Purchase Committee exceeded his authority and encroached into financial analysis to support the cause of supplier.
- (2) Accountant as member of purchase committee did not object to absurd financial analysis by Dy.G.M.(Tech) and merely endorsed the views of former.
- (3) Dy.GM(Tech) as member of purchase Committee had interest in the transactions with Ashoka Traders.

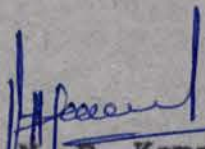
It is also learnt that during the period, KTCL had off-loaded the body repair work to private agencies and permitted them to procure alluminium components as may be required. The inspection work had been carried out by V. V. S. Kunkolienkar, DY G.M.(Tech). The possibility of using non-genuine indal alluminium components in such repairs cannot be ruled out.



- 2 -

38331e

I am suspecting several black sheeps in the activities transacted during the period 1998-1999 and hope that Management shall give a fair consideration to the reported irregularity ordering proper investigation and enquiry.

  
( M. P. Kamat )  
Charge-sheeted officer

To.  
M.D.



208  
5/5/2000

383A/E

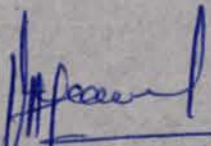
Dated: 5/5/2000

Ref: Note dated 3/5/2000, as regards violation of Purchase Committee decision by Tukaram Khanderao Pawase

Vide para 4 on page no. 2, submissions made by Tukaram Khanderao Pawase were quoted. Now enclosing for confirmations of above quotes, statement of cross of Tukaram Khanderao Pawase, as Management Witness on page no. 24 duly underlined (sub paras A, B, C, D, E & F) The said note was put on records of the Corporation before Tukaram Khanderao Pawase took over the charge of accounts department as Asstt. Financial Controller vide order dated 3/5/2000.

This supplementary note is for confirmation that with due knowledge of facts, Mr. Tukaram Khanderao Pawase is allowed to take charge of the Asstt. Financial Controller in the Accounts Department.

X



( M. P. Kamat )  
Charge-sheeted Officer

Encl: As above

To,

M.D. KTCL

Copy to: Personnel Department, KTCL



883 K12

As per the Exhibits produced to-day the goods purchased under purchase order No. 1170 were rejected. The technical authority from the stores has rejected the said material and accordingly the G.A.N. was prepared. I do not know if KTC did not suffer any loss on account of the said purchase order No. 1170. The Purchase order No. 2026 was signed by me which is EXH-Pw-1/E. I was holding additional charge at the time when I signed the said purchase order. It was placed before me by Asst. Purchase officer, Shri Gurav. There is no record to show as to when I received the charge of purchase officer and when I handed over the charge. I can say at the relevant time when Purchase order EXH-Pw-1/E was signed, the D.O. was not there on duty. From the record I can say that the D.O. has nothing to do with the Purchase order at EXH-Pw-1/E. The entire job of preparation of said Purchase order was done by Asst. Purchase officer and the same was placed for my signature and I had no role to play except signing the same. In case I had traced any defect in the said purchase order I would have questioned to my subordinates and got it rectified. I do not know if there was practice in the ex purchase department that the subordinates were preparing all the records of purchase department and place before the purchase officer and who approve it. I do not know if the purchase order at EXH-Pw-1/E has violated any of the procedure or norms fixed by KTCL. The said purchase order at EXH-Pw-1/E was approved by Internal Auditor before I signed it. It is true that as a purchase officer I would have first checked if the order is approved by Internal Auditors and then only I would have signed the same. It is true that once the file is approved by the Internal Auditors it means that the due process have been followed. I do not remember whether I have directed the Asst. Purchase order to put up any purchase order for any material. I have initiated approval notes in respect of purchase orders. I do not remember if Gurav had put up any files of purchase orders. Shown to the witness the copy of the note (Xerox copy). With consent of both the parties the said xerox copy is taken on record and marked as EXH-AW-2/F. The said approval note was initiated by me and after its final approval I marked the same to Asst. Purchase officer to place order as per approval. During my tenure as Purchase officer I have invited quotations from the Purchase department invited the quotations and placed before the Purchase committee consist of Dy. G.M. (Tech), Internal Auditors, Dy. P. C. and Managing Director. After their approval Purchase department placed the purchase order with the supplier for supplies of material.



555  
5/5/2000

38341e

Dated: 5/5/2000

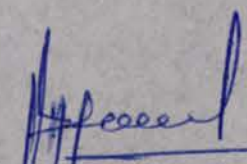
Ref: Note dated 3/5/2000, as regards violation of Purchase Committee decision by Tukaram Khanderao Pawase

Personnel Department  
226  
5/5/2000

Vide para 4 on page no. 2, submissions made by Tukaram Khanderao Pawase were quoted. Now enclosing for confirmations of above quotes, statement of cross of Tukaram Khanderao Pawase, as Management Witness on page no. 24 duly underlined (sub paras A, B, C, D, E & F) The said note was put on records of the Corporation before Tukaram Khanderao Pawase took over the charge of accounts department as Asstt. Financial Controller vide order dated 3/5/2000.

This supplementary note is for confirmation that with due knowledge of facts, Mr. Tukaram Khanderao Pawase is allowed to take charge of the Asstt. Financial Controller in the Accounts Department.

Encl: As above

  
( M. P. Kamat )  
Charge-sheeted Officer

To,  
✓ M.D. KTCL

Copy to: Personnel Department, KTCL

2

24

Chait



3834/e

As per the exhibits produced to-day the goods purchased under purchase order No. 1170 were rejected. The technical authority from the stores has rejected the said material and accordingly the G.R.N. was prepared. I do not know if KTC did not suffer any loss on account of the said purchase order No. 1170. The Purchase order No. 2026 was signed by me which is EXH-Pw-1/E. I was holding additional charge at the time when I signed the said purchase order. It was placed before me by Asst. Purchase officer, Shri Gurav. There is no record to show as to when I received the charge of purchase officer and when I handed over the charge. I can say at the relevant time when Purchase order EXH-Pw-1/E was signed, the D.O. was not there on duty. From the record I can say that the D.O. has nothing to do with the Purchase order at EXH-Pw-1/E.

The entire job of preparation of said Purchase order was done by Asst. Purchase officer and the name was placed for my signature and I had no role to play except signing the same. In case I had traced any defect in the said purchase order I would have questioned to my subordinates and got it rectified.

I do not know if there was practice in the ex purchase department that the subordinates were preparing all the records of purchase department and place before the purchase officer and who approve it. I do not know if the purchase order at EXH-Pw-1/E has violated any of the procedure or norms fixed by KTCL. The said purchase order at EXH-Pw-1/E was approved by Internal Auditor before I signed it. It is true that as a purchase officer I would have first checked if the order is approved by Internal Auditors and then only I would have signed the same. It is true that once the file is approved by the Internal Auditors it means that the due process have been followed.

I do not remember whether I have directed the Asst. Purchase officer to put up any purchase order for any material. I have initiated approval notes in respect of purchase orders.

I do not remember if Gurav had put up any files of purchase orders. Shown to the witness the copy of the note (Xerox copy). With content of both the parties the said xerox copy is taken on record and marked as EXH-AW-2/F. The said approval note was initiated by me and after its final approval I marked the same to Asst. Purchase officer to place order as per approval.

During my tenure as Purchase officer I have invited quotations from Purchase department invited the quotations and placed before the purchase committee consist of Dy. G.M. (Tech), Internal Auditors, Dy. P. C. and Managing Director. After their approval Purchase department placed the purchase order with the supplier for supplies of material.



NOTE

27/4/2000  
 421  
 27/4/2000

3846

I am sick and unable to  
 report. Submitted for your infor-  
 mation pl.

PERSONAL DEPARTMENT  
 INWARD No. 573  
 28/4/2000

M. P. Kamat  
 (M. P. Kamat)

To  
 M.D.  
 KTEE  
 Panaji - Goa.

~~A~~

27/4/2000

PO

Chair



KARNATAKA TRANSPORT CORPORATION LTD.  
FORM NO. 6580  
DATE 29/3/2000

Panaji-Goa.

Dated: 27/3/2000

383/c

8736  
2013/1000

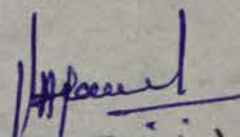
Ref: Order No. KTC/ADMN/1-2/99-2000/4664  
dated 23.3.2000.

With reference to the above Order, I am drawing attention to my letter dated 21.9.98 presently resting on the records of KTCL. A copy of the said letter is enclosed herewith.

The said letter was put up for perusal of M.D., KTCL with following objectives:

- (1) A change of presenting Officer who is involved in personal conflict resulting into litigation and personal rivalry.
- (2) V.V.S. Kunkolienkar facing Court cases civil/criminal is required to report the progress in the litigation to the employer under CCS (CCA) rules, non reporting amounts to misconduct.

This note is put up with a request and hope that adequate consideration will be given to the points raised above.

  
( M. P. Kamat )  
Statistical Officer

To,  
M.D  
KTCL  
c.c. Personnel Officer

P.O.



38/c

From: Shri Mahesh Kamat,  
Kadamba Transport Corporation Ltd.  
Panaji-Goa.

Dated: 21/9/98

To,

The Managing Director,  
Kadamba Transport Corporation Ltd.,  
Panaji-Goa.

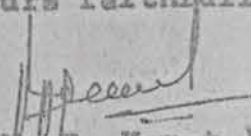
Reqd: Change of Presenting Officer

Sir,

Vide Order No. KTC/ADMN/1-2/97-98/121 dated 31.3.98,  
V. V. Kunkelienkar had been appointed as Presenting Officer  
the enquiry ordered against me dated 31-3-98. I hereby  
you that, myself and Kunkelienkar are involved in personal  
conflict resulting into litigation and personal enmity.  
will be totally biased particularly in view of the process  
issued under Section 500 of Cr. P.C. pursuant to the criminal  
suit filed against him dated 26.3.98. Pursuant to the issue  
of process dated 11.8.1998, Shri Kunkelienkar appeared before  
court on 16.9.98 and was released on bail. Enclosed herewith  
copy of the process issued by Court Under Section 500 I.P.C.

In view of above, I request for change of Presenting Officer  
in the said enquiry against me.

Yours faithfully,

  
( N. P. Kamat )

Encl: As above



382/c  
Kadamba Transport Corporation Ltd.,  
Panaji-Goa.

Dated: 27/3/2000

Ref: Order No. KTC/ADMN/1-2/99-2000/4664  
dated 23.3.2000.

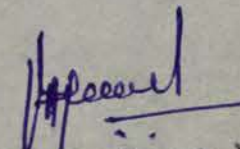
V. T. R.  
8684  
29/3/2000

With reference to the above Order, I am drawing attention to my letter dated 21.9.98 presently resting on the records of KTCL. A copy of the said letter is enclosed herewith.

The said letter was put up for perusal of M.D., KTCL with following objectives:

- X
- (1) A charge of presenting Officer who is involved in personal conflict resulting into litigation and personal rivalry.
  - (2) V.V.S. Kunkolienkar facing Court cases civil/criminal is required to report the progress in the litigation to the employer under CCS (CCA) rules, non reporting amounts to misconduct.

This note is put up with a request and hope that adequate consideration will be given to the points raised above.

  
( M. P. Kamat )  
Statistical Officer

To,

M.D  
KTCL  
c.c. Personnel Officer



From: Shri Mahesh Kamat,  
Kadamba Transport Corporation Ltd.  
Panaji-Goa.

Dated: 21/9/98

381/c

To,

The Managing Director,  
Kadamba Transport Corporation Ltd.,  
Panaji-Goa.

Reqd: Change of Presenting Officer

Sir,

Vide Order No. KTC/ADMN/1-2/97-98/121 dated 31.3.98, V. V. Kunkolienkar had been appointed as Presenting Officer in the enquiry ordered against me dated 31-3-98. I hereby inform you that, myself and Kunkolienkar are involved in personal conflict resulting into litigation and personal enmity. I will be totally biased particularly in view of the process issued under Section 500 of Cr. P.C. pursuant to the criminal suit filed against him dated 26.3.98. Pursuant to the issue of process dated 11.8.1998, Shri Kunkolienkar appeared before court on 16.9.98 and was released on bail. Enclosed herewith is a copy of the process issued by Court Under Section 500 I.P.C.

In view of above, I request for change of Presenting Officer in the said enquiry against me.

Yours faithfully,

  
( M. P. Kamat )

Encl: As above



Date: 3.5.2000

380/c

NOTE

Reproduced hereibbelow Article of Charge No. XII framed against against me by the Corporation.

" Vide Purchase enquiry No. KTC/PUR/93-94/170 dated 6.10.1993, quotations were invited for purchase of 24 RFT Aluminium Water Channel (Indal No. 6250 code No. 083111 ) as per the comparative statement No. 152 dated 5.11.93, Hindustan Sales Agency was lowest i.e. Rs. 10.66 per RFT inclusive of CST. The Purchase Committee approved to give order to Hindustan Sales Agency. However, as per P.O. No. KTC/PUR/12/2026 dated 19.2.94, it can be seen that the order for said item was placed on M/s Vishuni Enterprises @ Rs. 11.16 per RFT i.e. at a higher rate of 50 paise per RFT thereby causing monetary loss of (11.16 - 10.66) 24 = Rs. 12/-. This was done in total violation of decision of Purchase Committee. It was the duty of Shri Kamat to bring this irregularity at the time of verifying the bill, but he passed the bill for payment which means that the transaction was done by him in collusion with Shri Pramod Gaonkar, P.O."

KTCL while defending the Writ Petition filed by me in the High Court stated before the Court that Mr. Kamat, Dy. Financial Controller while functioning in the Accounts Department committed grave irregularities hence it has become necessary to transfer him from the Accounts Department.

KTCL Management while defending the said Article of Charge against Mr. Pramod Gaonkar former Purchase Officer produced Purchase Order No. KTC/Pur/12-13/2026 dated 19.2.1994 and examined Mr. Tukaram Khanderao Pawase, Asstt. Controller of Stores as its witness.

The allegations laid out in the article of Charge-XII are:

- (1) Purchase Order No. KTC/Pur/12-13/2026 dated 19.2.94 was in total violation of decision of the Purchase Committee.
- (2) It was the duty of Shri Kamat to bring this irregularity causing a financial loss of Rs. 12/- at the time of verifying the bill.
- (3) Mr. Kamat passed the bill for payment which means that the transaction was done in collusion with Mr. Pramod Gaonkar.

What the Management witness Shri Tukaram Khanderao Pawase had stated and supported by the Management documents is elaborated herein below:



329/c

- (1) Purchase Order No. KTC/Pur/12-13/2026 dated 19.2.94 is signed by Tukaram Khanderao Pawase himself while acting as Purchase Officer at the relevant time. Tukaram Khanderao Pawase acting Purchase Officer and Asstt. Controller of Stores, <sup>and</sup> as Management Witness is one and the same.
- (2) Tukaram Khanderao Pawase got the Purchase Order No. 2026 dated 19.2.94 approved from the Internal Auditors and not from Mr. Kamat as Dy. Financial Controller. The remarks on the face of Purchase Order "OK" are of Internal Auditors and not of Mr. Kamat.
- (3) The total violation of Purchase Committee decision is of Tukaram Khanderao Pawase himself and under his directions.
- (4) On page No. 24, Tukaram Khanderao Pawase, management witness stated in his cross as under:
  - a) The Purchase Order No. 2026 was signed by me which is Exh-PW-1 E. I was holding additional charge at the time when I signed the said Purchase Order.
  - b) I can say at the relevant time when order No. Exh-PW-1E was signed, the D.O. was not there on duty.
  - c) From the records, I can say that, D.O. had nothing to do with purchase order at Exh - PW-1E.
  - d) In case I had traced any defects in the Purchase Order, I would have questioned with the subordinates and got it rectified.
  - e) The said Purchase Order at Exh-PW-1 E was approved by Internal Auditors before I signed it.
  - f) Exh-PW-2F, the said approval note was initiated by me.

( Purchase Order No. KTC/Pur/12-13/2026 dated 19.2.1994 is enclosed and statement of Tukaram Khanderao Pawase will be shown if desired and called for. The same is also available with the Enquiry Officer appointed by the Corporation.)

The purported grave irregularity is committed by Tukaram Khanderao Pawase perhaps in collusion with Internal Auditors for which Mr. Kamat and Mr. Gaonkar are made scapegoats. The former being harassed, humiliated and later being placed under suspension. The main culprit being Tukaram Khanderao Pawase is rewarded for his offences and now it is learnt that he is tipped for transfer to head the Accounts Department. This is contrary to the Management action of displacing Mr. Kamat from Accounts Department perhaps for the offences committed by



(54) (5)

(311) 322/C



# Kadamba Transport Corporation Limited

( Govt. of Goa Undertaking )

East Wing, Bus Stand Complex - Panaji

P. O. Box 321, Goa 403 001

Phone : 42634 to 42637 (PBX) 5058, 5401

Telegram : KADAMBA'S

Fax No. : 0832 343698

## PURCHASE DEPARTMENT

### PURCHASE ORDER

To:	Enquiry No. KTC/Pur/311/1/11	P. O. No. : KTC/Pur/12-13
Dated 6/12/11		Date 19/2/11
Suppliers Ref. Rate Contract Ref:		Our Ref. 152 (11) 5/11/11 113215 (11) 25/11/11 11377 (11) 11/11/11
Order dated 11/11/11		

Please supply the items as per details given below & terms & conditions as stated overleaf.

Sr. No.	Makers Identification of CODE No.	Nomenclature	Qty. & Unit	Rate Rs.	Amount Rs. P.	Remarks
1		Alum. ... 12 ...	120			
2	6250	Water ... 12 ...	210	1024	2150	OK 11/11/11

Payments Terms : /	Delivery : /
Cash Discount : /	
Special Discount : /	
Excise Duty : /	
CST : 8/	through/to /
Surcharge : /	
Handling Charge : /	Insurance
Packing & Forwarding : /	Freight/F.O.R.

For KADAMBA TRANSPORT CORPORATION LTD.

P. T. O. For Terms & Conditions

Managing Director/Purchase Officer

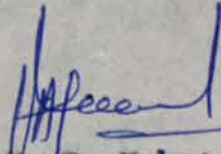
11/11



228/c

Shri Tukaram Khanderao Pawase. It is hoped that management shall take a note of this and will not allow Mr. Pawase to head the Accounts deptt. The proper reward for Tukaram Khanderao Pawase would have been an immediate suspension and institution of enquiry. He has not only committed the irregularity but confirmed having done so while acting as mangement witness.

In the conclusion, it is stated that there is a deep seated bias acting within the Corporation and the acts of Corporation are arbitrary leading to harassment and victimisation against me. There lies a long legal battle ahead for the Corporation.

  
( M. P. Khat )  
Charge-sheeted Officer

To,

The M.D. KTCL

c.c. to: Personnel Officer, KTCL



V. V. S. K.  
Personnel Department  
INWARD No. 419  
DATE: 24/4/2000

No. KTC/ADMN/1-2/2000-2001/06  
Kadamba Transport Corpn. Ltd.,  
Panaji-Goa.

Dated: 22.4.2000

326/c

MEMORANDUM

On 20.4.2000, Chairman, Shri Venkatesh A. Dessai alongwith undersigned checked the Statistical Department at 4.30 p.m. and it was found that you had not reported for duty on that day. Secondly, you had neither informed the Managing Director nor P.A. to M.D. regarding your absence. This amounts to unauthorised absence from duty.

You are therefore asked to explain in writing within 7 days from the receipt of this memo your say in the matter failing which action deemed fit will be taken.

( V. V. S. Kunkolienkar )  
Managing Director

To,  
Shri M. P. Kamat,  
Statistical Officer,  
Kadamba Transport Corpn. Ltd.,  
H.O. Panaji.

C.C. to: 1. The Chairman for favour of information.  
2. The Personnel Officer.



328/

No. KTC/ADMN/1-2/99-2000/4164  
Kadamba Transport Corpn, Ltd.,  
Panaji - Goa.,  
Date:- 21.3.2000.


ORDER

WHEREAS an Inquiry under Rule 14 of the Central Civil Service (Classification, Central and Appeal) Rules, 1965 is being held against Shri. Mahesh P. Kamat, Dy. Financial Controller.

WHEREAS, Shri. A. B. Gaikwad, Borda, Margao-Goa was appointed as Inquiring Authority to inquire into the charges levelled against Shri. Mahesh P. Kamat, Dy. Financial Controller vide order No. KTC/ADMN/1-2/97-98/122, dated 31.3.1998.

AND WHEREAS, Shri. A. B. Gaikwad, Inquiry Officer, after having carefully heard and recorded the part of the evidence has since shown his inability to proceed with conducting further inquiry and it is necessary to appoint another Officer as Inquiring Authority to inquire into the charges against Shri. Mahesh P. Kamat, Dy. Financial Controller.

NOW, THEREFORE, the undersigned in exercise of powers under the CCS(CCA) Rules, 1965, hereby appoint Shri. G.G.Kambli, Director Of Panchayats as Inquiry Authority to enquire into the charges levelled against Shri. Mahesh P. Kamat, Dy. Financial Controller vide Order No. KTC/ADMN/1-2/97-98/122, dated 31.3.1998.

  
( S. D. Dessai )  
MANAGING DIRECTOR

To,  
Shri. G. G. Kambli,  
Inquiry Officer &  
Director Of Panchayats,  
Junta House, 3rd Floor, 3rd Lift.,  
Panaji - Goa.,

Copy to:-

1. Shri. Mahesh P. Kamat, Charge-sheeted Officer, & Statistical Officer, KTCL, Panaji - Goa., for information.
2. Shri. V.V.S. Kunkolienkar, Presenting Officer & Dy. General Manager(Tech)., KTCL, Panaji-Goa., for information.
3. O/C.,
4. O/File.,



324/c  
4123


No. KTC/PERS/7/99-2000/  
Kadamba Transport Corpn. Ltd.,  
Panaji-Goa.

Date: 14.3.2000

O R D E R

Increment of following Officers is hereby released  
with effect from 1st March, 2000.

Sl. No.	Name & Designation	Emp. No.	Salary	Incre- ment	Present salary
1.	Shri M.P. Kamat, S.O.	0009	11950/-	325/-	12275/-
2.	Shri A. Carvalho, D.M.	0010	9375/-	275/-	9650/-
3.	Shri C.F. Pereira, W.M.	0020	9375/-	275/-	9650/-
4.	Shri T.K. Pawase, A.C.S.	0145	9375/-	275/-	9650/-
5.	Shri Y.D. Gaude, Acct.	2501	7600/-	175/-	7775/-
6.	Shri V. Harwalkar, L.A.	0078	6200/-	175/-	6375/-

  
( A.S. SHRINIVASKAR )  
Personnel Officer

To,

The Asst. Financial Controller,

Copy to,

1. P.erc. file
2. O/c.



No.KTC/ADMN/1-2/1999-2000/83  
Kadamba Transport Corpn. Ltd.,  
Panaji-Goa.

Dated: 9.3.2000

373/c  
CY. Y  
Personnel Department  
KTC/ADMN No 8274  
DATE: 9/3/2000

MEMORANDUM

During the checking carried out by the Chairman on 8.3.2000, it was found by him that Shri M. P. Kamat, Statistical Officer did not report to duties till 10.30 a.m.

Shri M. P. Kamat, S.O. is hereby directed to submit his explanation within 3 days.

*[Signature]*  
( S. D. Dessai )  
Managing Director

To,  
Shri M. P. Kamat,  
Statistical Officer,  
K.T.C. Ltd., Panaji.

Copy to: 1. The Chairman for favour of information.  
2. The Personnel Officer.



No: KTC/STAT/6- /99-2000/212  
Kadamba Transport Corporation Ltd.,  
Panaji-Goa.

Dated: 13/3/2000

KADAMBA TRANSPORT CORPORATION LTD.  
5941  
13-3-2000

373/c

To,  
The Managing Director,  
KTCL.

8454  
16/3/2000

Ref: Memo No. KTC/ADMN/1-2/1999-2000/83  
dated 9/3/2000.

Sir,

With reference to above, I am to explain that on previous day i.e. 7.3.2000, I was called from the Transport Dept. seeking clarification with regard to letter No. KTC/STAT/9-5/99-2002/202 dated 29/2/2000 on Joint Committee on office of profit (Thirteenth Loksabha). On 8.3.2000 it so happened that, due to road asphalting work currently in progress between Bambolim-Panaji, bus took a diversion from Bambolim and came to Panaji via Santa-Cruz-Panaji City. I took a drop in the City to contact the Office of Directorate of Transport in connection with the above to avoid repeat journey.

Yours faithfully,

( M. P. Kamat )  
Statistical Officer

C.C. to: Personnel Department.

Int up  
/

Chair

2  
14/3  
PO



No: KTC/STAT/6- /99-2000/212  
Kadamba Transport Corporation Ltd.,  
Panaji-Goa.

Dated: 13/3/2000

*Handwritten signature/initials*

To,

The Managing Director,  
KTCL.

8335  
10/3/2000

Ref: Memo No. KTC/ADMN/1-2/1999-2000/83  
dated 9/3/2000.

Sir,

With reference to above, I am to explain that on previous day i.e. 7.3.2000, I was called from the Transport Dept. seeking clarification with regard to letter No. KTC/STAT/9-5/99-2002/202 dated 29/2/2000 on Joint Committee on office of profit (Thirteenth Loksabha). On 8.3.2000 it so happened that, due to road asphaltting work currently in progress between Bambolim-Panaji, bus took a diversion from Bambolim and came to Panaji via Santa-Cruz-Panaji City. I took a drop in the City to contact the Office of Directorate of Transport in connection with the above to avoid repeat journey.

Yours faithfully,

*Handwritten signature*  
( N. P. Kamat )  
Statistical Officer

C.C. to: Personnel Department.



A. V. R. Iyer  
Personnel Department  
OFFICE NO. 76/21  
DATE: 10/2/2000

No: KTC/STAT/6-8/99-2000/191  
Kadamba Transport Corporation Ltd.,  
Panaji-Goa.

Dated: 10/2/2000

Sir,

Vide Circular No. KTC/ADMN/1-5/95-96/46 dated 27.7.97, it was ordered that various jeeps attached to Depots, Central Workshop and Head Office common pool shall be strictly used only for official purposes and not for to and fro journey to the residence by the Officers. The order was issued pursuant to the Objections raised by some Directors in the Board meeting and accordingly a resolution was adopted in that regard.

The above directives are in complete conformity with the rules in force relating to use of staff ~~xxxx~~ cars for private purposes which are as follows:

1. The use of staff cars for non-duty journeys is completely banned.
2. In case, however, staff cars has to be used for non-duty journeys due to some unavoidable circumstances, besides getting the journeys regularised, recoveries should be effected from concerned official at the following rates.
  - a) Rs. 4.5 per km. or part thereof for small cars (upto 16 HP)
  - b) Rs. 6.00 per km. or part thereof for big cars (over 16 HP)

In addition, detention charges at Rs. 3.00 per hour for periods of detention, whether within or outside the normal working hours of the staff cars and overtime allowance, if any payable to the chauffeur are recoverable.

Charges at this rate would be recoverable for distance covered from the time the car leaves office/garage till return it to office/garage.

A staff jeep under the control of Dy. GM(Tech) is making constant journeys on day to day basis from Panaji to Margao after office hours and from Margao to Panaji next day before office hours. At least two officers attached to Head Office and residence of Margao are using the Corporation jeep for non-duty journey from Head Office (Panaji) to residence (at Margao) a distance of approximately 70 kms. to and fro. This practice is in force for last 3 years in total contravention of office order dated 27.7.95 and rules and regulations as applicable to the use of staff cars. During the ~~xxxx~~ detention period/night ~~xxxx~~ halt at Margao the jeep is also used for personal purpose of self and family members.

Observations:

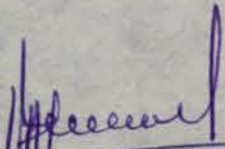
1. The use of staff cars for non-duty journeys amount to misuse



379/4

of Corporation property and is a misconduct liable for disciplinary action under CCS(CCA) conduct rules if applicable to Officers of KTCL.

2. Previous period journey call for regularisation initiating recoveries at the prescribed rates.
3. Non-duty journeys to be stopped forthwith or to be regularised initiating recoveries on regular basis.
4. If observations at Sr. No. 1,2,& 3 above are false and irrelevant, by virtue of official status, I am eligible to claim KTCL Jeep for to and fro journey to the residence.

  
( M. P. Kamat )  
Statistical Officer

To,

M.D.

C.C. to: Chairman

✓ Personnel Officer



378k

Letters Despatched to:-

- 1. Mr. S. A. Kishore, Director, Directorate of Tourism, P.O. - Co.,
- 2. Mr. R. P. S. I. Joint Chief Director of Health Services, P.O. - Co.,

KTC/PERS/86(556)/99-2000/

15th Feb, 2000

To,

Case overleaf for Name/Address

- 3. Mr. G. K. Kumbhar, Director (Administration), Directorate of Health Services, P.O. - Co.,

Sir,

- 4. Mr. V. R. Manoj, Managing Director, Economic Development Corporation, D.C. House, D. Atmanagar, P.O. - Co.,

This is to inform you that Corporation proposed to conduct departmental enquiry to investigate into the charges levelled against one officer for serious acts of misconduct.

It is proposed to appoint you as an Enquiry Officer to investigate into the charges with a pay of Rs. 1000/- (supersede one thousand only).

I am therefore to request you to confirm your willingness within 15 days to enable us to take further action in the matter accordingly.

Yours faithfully,

( S. D. Desai )  
MANAGING DIRECTOR

Pers. file



Letters Despatched to:-

1. Shri. S. S. Keshkamt,  
Director,  
Directorate Of Tourism,  
Patto, Panaji - Goa.,
2. Shri. R. P. Pal,  
Joint Chief Electrol Officer,  
D. B. Bandedkar Marg.,  
Panaji - Goa.,
3. Shri. G. G. Kamblil,  
Director, (Administration),  
Directorate Of Health Services,  
Panaji - Goa.,
4. Shri. W. V. Raman Murthi,  
Managing Director,  
Economic Development Corporation  
EDC, House, Dr. Atmaram Borcar Road,  
Panaji - Goa.,
5. Shri. D. M. Katkar,  
Joint Secretary, (Home)  
Govt. Of Goa.,  
Secretariate, Panaji - Goa.,
6. Shri. A. T. Kamat,  
Director of Transport,  
Junta House, 1st Floor,  
Panaji - Goa.,
7. Shri. S. V. Sawant,  
Collector, (South),  
Collectorate Building,  
Margao - Goa.,

27/1/57



369/c

KTC/DyGM(Tech.)/99-2000/728  
Kadamba Transport Corporation Ltd.,  
Panaji-Goa.

Dated:- 12.1.2000

V. V. S. Kunkolienkar  
General Manager  
AWARD No. 6859  
15/11/2000

To,  
The A.F.C.,  
K.T.C.Ltd.,  
Panaji-Goa.

Please find enclosed herewith bill of M/s. BG Management Consultants, Ponda for Rs.8,500/- towards conducting enquiry (17 sittings). It is confirmed that the enquiry was conducted on the above dates.

The order of appointment of the said Enquiry Officer dated 31.3.1998 is enclosed as required by you. You are requested to draw the cheque of Rs.8,500/- and send the same to the undersigned so that the original file of the enquiry can be collected against the payment of cheque.

Encl: bill & Order.

( V.V.S. Kunkolienkar )  
Dy. General Manager (Tech.)

Copy to:

P.O., for information. He is instructed to appoint another Enquiry Officer in place of Shri A.M. Gaikwad as instructed by the M.D.

for

for



Dated: 31.3.98

3681

6883

13/1/2000

5106  
13/1/2000

~~V. S. Reddy~~  
~~General Manager~~  
~~Kadamba Transport Corpn. Ltd.~~

O R D E R

WHEREAS an inquiry under Rule 14 of the Central Civil Service (Classification, Control and Appeal) Rules is being held against Shri Mahesh P. Kamat, Officer.

AND WHEREAS, the undersigned considers that an Inquiring Authority should be appointed to inquire into the charges framed against the said Shri Mahesh P. Kamat, Officer.

NOW THEREFORE, the undersigned, in exercise of the powers conferred by Sub-Rule (2) of the said Rule hereby appoint Shri A. B. Gaikwad, 3 'B', Bhagirati Apts., Borda, Margao, Goa, as the Inquiring Authority to inquire into the charges framed against the said Shri Mahesh P. Kamat, Officer.

The place of enquiry will be Kadamba Transport Corporation Limited, Margao Depot.

The Inquiring Authority shall submit his report to the undersigned on or before 30.6.98.

*Handwritten signature*

( P. S. Reddy )  
Managing Director

- To,
1. Shri A. B. Gaikwad, 3'B', Bhagirati Apts., Borda, Margao-Goa.
  2. Shri V. V. Kunkolienkar, Dy. General Manager (Trf.) Kadamba Transport Corpn. Ltd., H.O. Panaji.
  3. Shri Mahesh P. Kamat, Flat No. 2, F.2, Shivneri, Conbe, Margao-Goa. In case you intend to be represented by legal practitioner, you are permitted to engage the service of legal practitioner.

- Copies of documents submitted to Inquiring Authority:
1. Memorandum No. KTC/ADMN/1-2/97-98/203 dt. 4.3.98
  2. Reply from Shri Mahesh P. Kamat.
  3. Copy of receipt acknowledging the receipt of Memorandum.
  4. Documents referred to in Annexure III.
  5. List of witnesses.

*P-2*

*Recd on 13/1/2000*



Dated: 31.3.98

358/c

O R D E R

WHEREAS an inquiry under Rule 14 of the Central Civil Service (Classification, Control and Appeal) Rules is being held against Shri Mahesh P. Kamat, Officer.

AND WHEREAS, the undersigned considers that an Inquiring Authority should be appointed to inquire into the charges framed against the said Shri Mahesh P. Kamat, Officer.

NOW THEREFORE, the undersigned, in exercise of the powers conferred by Sub-Rule (2) of the said Rule hereby appoint Shri A. B. Gaikwad, 3 'B', Bhagirati Apts., Borda, Margao, Goa, as the Inquiring Authority to inquire into the charges framed against the said Shri Mahesh P. Kamat, Officer.

The place of enquiry will be Kadamba Transport Corporation Limited, Margao Depot.

The Inquiring Authority shall submit his report to the undersigned on or before 30.6.98.

*PS*  
31/3/98

( P. S. Reddy )  
Managing Director

To,

1. Shri A. B. Gaikwad, 3'B', Bhagirati Apts., Borda, Margao-Goa.
2. Shri V. V. Kunkolienkar, Dy. General Manager (Trf.) Kadamba Transport Corpn. Ltd., H.O. Panaji.
3. Shri Mahesh P. Kamat, Flat No. 2, F.2, Shivneri, Comba, Margao-Goa. In case you intend to be ~~fxd~~ defended by legal practitioner, you are permitted to engage the service of legal practitioner.

Copies of documents submitted to Inquiring Authority:

1. Memorandum No.KTC/ADMN/1-2/97-98/205 dt. 4.3.98
2. Reply from Shri Mahesh P. Kamat.
3. Copy of receipt acknowledging the receipt of Memorandum.
4. Documents referred to in Annexure III.
5. List of witnesses.



30612

No.KTC/ADMN/1-2/97-98/121  
Kadamba Transport Corpn. Ltd.,  
Panaji-Goa.

Dated: 31.3.98

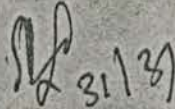
O R D E R

WHEREAS an inquiry under Rule 14 of the Central Civil Service (Classification, Control and Appeal) Rules, 1965 is being held against Shri Mahesh P. Kamat, Officer.

AND WHEREAS, the undersigned considers that a Presenting Officer should be appointed to present on behalf of the undersigned the case in support of the Articles of charge.

NOW, THEREFORE, the undersigned in exercise of the powers conferred by Sub-Rule (5) (c) of Rule 14 of the said Rules, hereby appoint Shri V. V. Kunkolienkar, Dy. General Manager, Kadamba Transport Corpn. Ltd. as Presenting Officer.

The place of enquiry will be Kadamba Transport Corporation Limited, Margao-Goa.

  
( P. S. Reddy )  
Managing Director

To,

1. Shri V. V. Kunkolienkar, Dy. General Manager, Kadamba Transport Corpn. Ltd., H.O. Panaji.
2. Shri A. B. Gaikwad, 3'B', Bhagirati Apts., Borda, Margao-Goa.
3. Shri Mahesh P. Kamat, Flat No. 2, F2, Shivneri, Comba, Margao-Goa.



2924  
2/9/99

308/e

Ph.517259.(R)224194(0)  
Pg.Me. 9628/312259

Shri.Devidas P.Bhise,  
Advocate High Court,  
31st Jan.Road  
Panaji-GOA.

2.9.1999

4020  
3/9/97

To,

Managing Director,  
Kadamba Transport Corporation Ltd.,  
Panaji -Goa.

Sub: Notice under Sec.80 CIVIL PROCEDURE CODE

Sir,

Under the instructions of my client Shri. M.P.Kamat<sup>Dy.</sup> Financial Controller, notice is presented in order to meet the grievances of my client , who has been subjected to denial of his fundamental right to get his rightful wages.

It appeared from the documentation presented before me that my client has been representing to get his grievances resolved by representative remedy, however, there appears nothing material has been done to give the reliefs to my client despite, the grievances are quite legitimate, and , for which the Management cannot deny my client his right.

It is informed, by my client and amount of RS. 72276 is due to be paid to him however, the same has not been paid, despite representation, which according to me is a grave injustice on my client, as to his representation submitted on 30.1.99, there is no reply, which indicates that, the Management has admitted the claim, however, it has been denied despite representation which your goodself may find on record.

In view of above, I call upon your authority to pay my client his dues, within a period of one month from the date of receipt of this notice, failing which , It may be unavoidable to my client to approach Court of Law for recovery, damages and other reliefs, and the responsibility shall be on the Management which may please be noted.

Soliciting a line in reply.

Yours Sincerely

*[Signature]*  
ADVOCATE

*[Handwritten notes and signatures on the left margin]*

P.O



36412

No. KTC/ADMIN/1-2/99-2000/17  
Kadamba Transport Corporation Ltd.,  
Panaji-Goa.

Date:- 8.07.1999.

O R D E R

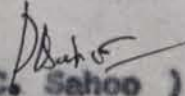
Shri Mahesh P. Kamat, Officer attached to Porvorim Depot is hereby transferred and posted to Statistical Department as a Statistical Officer with immediate effect.

He will take charge of Statistical Department from Shri Mario J.J. Ataide, R.A. immediately.

This change in designation is purely functional and temporary without any effect on seniority or pay and allowance.

Shri Mario J.J. Ataide, R.A. will continue with his own duties which are entrusted to him.

This order comes into force with immediate effect.

  
( D. C. Sahoo )  
MANAGING DIRECTOR

To,  
Shri Mahesh P. Kamat,  
Officer,  
K.T.C. Ltd.,  
Porvorim Depot.

Copy to:-

1. Shri M. J.J. Ataide, R.A. for information and necessary action.
2. The Asstt. Depot Manager, Porvorim Depot.
3. The Dy. Financial Controller, Panaji.
4. The Sr. All Sectional Heads : \_\_\_\_\_

*Handwritten:*  
12:35 PM

~~Account copy of Dom (P.V.)~~





- 1) RA (SO)
- 2) D4fe
- 3) PYAM (inf)
- 4) Legal  $\frac{8/17/99$
- 5) OSD  $\frac{8/17/99$
- 6) EQ  $\frac{8/17/99$
- 7) Civil  $\frac{P.S. 8/17/99$
- 8) Statistical
- 9) D4G4Ctech
- 10) Purchase
- 11) Genhdstan
- 12) C. Workshop  $\frac{8/17/99$
- 13) ADM  $\frac{8/17/99$
- 14) ADM: Pducm
- 15) ~~ADM~~: Nagw
- 16) DM: Panyl  $\frac{8/17/99$
- DJPA
- 18) OC



307

No. KTC/ADM/1-2/99-2000/11  
Kadamba Transport Corporation Ltd.,  
Panaji-Goa.

Date:- 8.07.1999.

O R D E R

Shri Mahesh P. Kamat, Officer attached to Porvorim Depot is hereby transferred and posted to Statistical Department as a Statistical Officer with immediate effect.

He will take charge of Statistical Department from Shri Mario J.J. Ataide, R.A. immediately.

This change in designation is purely functional and temporary without any effect on seniority or pay and allowance.

Shri Mario J.J. Ataide, R.A. will continue with his own duties which are entrusted to him.

This order comes into force with immediate effect.

*D. C. Sahoo*  
( D. C. Sahoo )  
MANAGING DIRECTOR

To,  
Shri Mahesh P. Kamat,  
Officer,  
K.T.C. Ltd.,  
Porvorim Depot.

Copy to:-

1. Shri M. J.J. Ataide, R.A. for information and necessary action.
2. The Asstt. Depot Manager, Porvorim Depot.
3. The Dy. Financial Controller, Panaji.
4. The ~~Sys~~All Sectional Heads : \_\_\_\_\_



362/e

No. KTC/PERS/27-B(566)/99-2000/ 2664  
Kadamba Transport Corporation Limited,  
Panaji - Goa.,

Dated:- 15th July, 1999.

To,

Shri. Mahesh P. Kamat,  
Statistical Officer,  
Kadamba Transport Corporation Ltd.,  
East Wing Bus Terminus,  
Panaji - Goa.,

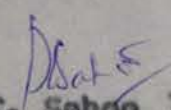
Sir,

This has reference to your letter dated 5.1.98 and 30.1.98 addressed to Secretary(Transport). It is seen that the letter has not been routed through this Office.

2. It is however to inform that Secretary(Transport), Government of Goa has been declared as the Appellate Authority only for penalties arising out of disciplinary cases. For the redressal and any other grievances, the Competent Authority will be the Management of Kadamba Transport Corporation Limited.

This is for your information.

Yours faithfully,

  
( D. C. Sahoo )  
MANAGING DIRECTOR  
Kadamba Transport Corporation Ltd.,



361/A

No. KTC/PERS/27-B(566)/99-2000/26 (1) -  
Kadamba Transport Corporation Limited,  
Panaji - Goa.,

Dated:- 15th July, 1999.

To,

Shri. Mahesh P. Kamat,  
Statistical Officer,  
Kadamba Transport Corporation Ltd.,  
East Wing Bus Terminus,  
Panaji - Goa.,

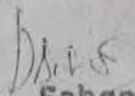
Sir,

This has reference to your letter dated 5.1.98 and 30.1.98 addressed to Secretary(Transport). It is seen that the letter has not been routed through this Office.

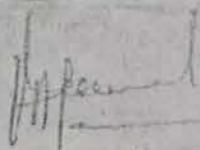
2. It is however to inform that Secretary(Transport), Government of Goa has been declared as the Appellate Authority only for penalties arising out of disciplinary cases. For the redressal and any other grievances, the Competent Authority will be the Management of Kadamba Transport Corporation Limited.

This is for your information.

Yours faithfully,

  
( D. C. Sahoo )  
MANAGING DIRECTOR  
Kadamba Transport Corporation Ltd.,

Received on 21.7.99





KADAMBA TRANSPORT CORPORATION LTD.  
Inward No. 2150  
Date 22/7/99

Dated: 22-7-99

361/R

To,

The Managing Director,  
Kadamba Transport Corporation Ltd.,  
Panaji-Goa.

Sir,

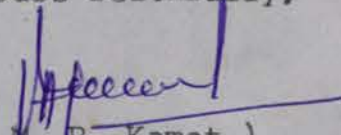
Body  
23/7/99

This has a reference to your letter No. KTC/PERS/27-B(566)/  
/99-2000/2664 dated 15-7-1999. At the outset, it is clarified  
that, the grievances in the first instance was put up to the  
Managing Director, KTCL vide letter dated 5.12.1998. The con-  
tents of para 2 of the said letter are correct. However, as  
advised and directed by MD, KTCL and with due respect, appeal  
was preferred before Secretary (Transport) Govt. of Goa.

I am forwarding to your office copies of previous corres-  
pondence dated 5.12.98 addressed to Managing Director, KTCL,  
letters dated ~~5.1.99~~ 5.1.99 and 30.1.99 addressed to Secretary  
(Transport) Govt. of Goa duly acknowledged by respective  
Officers for perusal and ~~redressal~~ redressal of grievances  
by the Management of KTCL.

Thanking you,

Yours faithfully,



( V. P. Kamat )  
Statistical Officer

Encl: As above

Chau

P.O.



DATE: 5/12/98

TO,  
The Managing Director,  
Kadamba Transport Corp. Ltd,  
Panjim - Goa.

*387K  
360/c*

Sir,

Sub: Non - payment of salary

I am not paid salary during following periods.

- (a) From 13.1.98 to 15.1.98 *found dt 21.7.98 by 240/c*
- (b) From 16.2.98 to 24.6.98
- (c) From 25.6.98 to 24.7.98 ( 18 1/2 days ) *dt 31.7.98 by 240/c*
- (d) From 25.7.98 to 24.8.98 ( 18 days ) *dt 2.9.98 by 240/c*

Herein below stated facts in each case.

- (a) Vide order No.KTC/PERS/5/97-98/2042, dated 25.10.97 (EXH-1) while functioning as Statistical officer, I was abruptly placed under suspension alongwith Research Assistant. The said suspension order was thereafter revoked at will of Mr.Reddy vide order No.KTC/PERS/5/97-98/2502, dt.17.12.97 (EXH.2), when I reported for duties on 29.12.97 (A.N.) to Head office, I was denied the charge of department and functions as statistical officer and was forced to seat outside the Legal Advisors cabin. Though Research Assistant was soon allowed to occupy his cabin on revocation of order of his suspension, the cabin of Statistical officer was kept locked with deliberate intentions to deprive me of my proper sitting place vide order KTC/ADMN/1-2/97-98/90, dt.30.12.97 (EXH.3). I was hence compelled to proceed on leave from 31.12.97 to 9.1.98 and joined on 13.1.98. I state that I had attended office on 13.1.98 to 15.1.98 without assigning any duties and could not gaddle myself with unjust and improper sitting arrangement purported to be provided by the corporation for the reasons explained by my reply dt.30.12.97 (3.1-4) with copies of memorandum No.KTC/ADMN/1-2/97-98/97, dt.16.1.98 (Exh.5) and reply dt.16.1.98 (EXH.6) when the question of unpaid salary was raised vide letter dtd.27.6.98 (EXH.7), Mr.Reddy vide his order No. KTC/PERS/(1566)/98-99/885, dt.21.7.98 (EXH.8) replied that I was marked absent on 13th, 14th & 15th January 1998 for not replying to memo. No. KTC/ADMN/1-2/97-98/97, dt.16.1.98 till 21.7.98 which was required to be replied with 48 hrs. This was factually incorrect since memo.No.97 dt.16.1.98 was replied on 16.1.98 (EXH.9) itself in less than seven hours. Having realised his wrongful default Mr.Reddy conveniently changed his earlier stand for non payment of salary for period from 13.1.98 to 15.1.98 twisting the contention vide memo.No.KTC/PERS/(568)/98-99/958, dt.28.7.98 (EXH-10) with words 'Found absent on seat.'
- (b) vide letter dt.16.2.98 (EXH.11), I had informed Mr.Reddy that my absence is on account of forcible act of his office and for which I should not be treated as absent and that I cannot occupy the humiliating sitting arrangement with class III & IV employees of KTCCL outside legal Advisors cabin. There was no response from Mr.Reddy, though I was regularly visiting the head quarters looking forward for the proper sitting arrangement.

*Alway  
6/12/98*



359/e

Under instructions vide letter KTC/PERS/(566)/98-99/844, dt. 16.2.98 (EXH.12), stopped correspondence and filed writ petition which was decided on 22.6.98 wherein corporation agreed to provide cabin at Porvorim depot and pursuant to such statement made on behalf of the KTC before the High court, writ petition was withdrawn. Enclosed copy of court order (EXH.13). Having intimated about proper sitting arrangement vide telegram and letter dt. 24.6.98 (EXH.14), I occupied the same w.e.f. 27.6.98. Therefore the alleged absence from 16.2.98 to 27.6.98 is not attributable to me. It was the forcible act of Mr. Reddy that kept me away from the seat I had regularly submitted attendance on month to month basis and is duly acknowledged by accounts and personnel departments of KTC. It is a matter of record and admission made by KTC that I had regularly attended the enquiries during the period 16.2.98 to 26.6.98 and that during the said period I had never been questioned about alleged absentism. Memo.No.KTC/PERS/(566)/98-99/885, dt. 21.7.98 (EXH.15) is only an 'afterthought' and belated allegation after receipt of my claim for salary vide letter dt.27.6.98 and reminder dt.9.7.98 (EXH.16).

(C) Vide order KTC/PERS/(566)/98-99/984, dt.31.7.98 (EXH.17) 18 1/2 days salary is withheld during the month of July'98 (i.e. 25.6.98 to 24.7.98) for the alleged reason 'Not performed any work'. A reference is drawn to memo.No.KTC/PERS/(566)/98-99/731, dt.26.6.98 (EXH.18) which is self explanatory as regards non provisions of any sitting arrangement as well as duties and responsibilities till 25.6.98, vide order No.KTC/ADMN, 1-2, 98-99/20, dt.14.7.98 (EXH.19) imposing for the first time certain functions incorporating duties and responsibilities of ATI/ATC/TT/TC were purported to be assigned to me. The fact remains that till 14.7.98 no functions were assigned to me and as such withholding salary not performing any work is absolutely absurd and unjustified. Vide reply dt.23.7.98 (EXH.19) explanation was furnished by me in response to the said order dt.14.7.98 and as such there is absolutely no ground for withholding salary of July'98 for alleged non performance of work which was never assigned to me.

(d) Vide order No.KTC/PERS/(566)/98-99/1196, dt.2.7.98 (EXH.21) 18 days salary is withheld during the period 15.7.98 to 24.8.98. It is unfair to withhold salary for 18 days details of which are stated hereinbelow.

1. Enquiries ( 3 1/2 days )  
( 6.8.98, 13.8.98, 14.8.98 (A.N.), 24.8.98 )
2. Inspection documents ( 3 1/2 days )  
( 10.8.98, 11.8.98, 12.8.98 & 14.8.98 (B.N.) )
3. Sick leave ( 6 days )  
( Pending sanction from personnel dept.)
4. Second saturday ( 1 day )  
( 8.8.98 )
5. Alleged absentism ( 4 days )  
( 25.7.98, 27.7.98, 28.7.98, 29.7.98, 30.7.98, 1.8.98, 3.8.98 & 5.8.98 )



3587c  
25/10

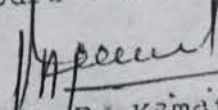
- 3 -

Half days deductions on each of days calculated on the basis of at timings applied to Depot officers.

I am eligible to draw salary for attending enquiries, inspecting documents in connection with enquiries, sick leave and consequential benefits as regards holidays and timings applicable to the officers of Administrative office, being a grade 'A' officer of corporation attached to H.O. even though I am now provided sitting arrangement at Porvorim depot on the statement of **plear** made before the High court that corporation do not have sitting arrangement for me at Panjim Head office.

In view of above factual position withholding of my salary for period 13.1.98 to 15.1.98, 16.2.98 to 24.6.98, 18/2 days during July '98 and 18 days during August '98 is incorrect and unjust and request your goodself to release the salary for the above stated periods.

Yours faithfully

  
( M. P. Kamat )  
DY.F.C./ S.O.

ENCLOSED: Exhibits Nos.1 to 21.



7  
From:

3571E 3541E  
Shri Mahesh P. Kamat,  
(Dy. Finance Controller)  
Kadamba Transport Corp. Ltd,  
Bus Terminus,  
Panjim - Goa.

Date: 05.1.1999.

M  
33  
6/2/99  
TO,  
Secretary (Transport),  
Govt. of Goa,  
Secretariat,  
Panjim Goa.

Ref: Circular No. KTC/PERS/19/98-99/489,  
dated 23.5.1998 of K.T.C. Ltd.

Sir,

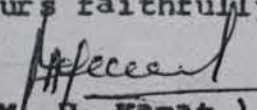
In the midst of your busy schedule, I may be permitted to place this letter seeking your advise in respect of your jurisdiction to hear the appeals other than in disciplinary cases.

Sir, by circular aforesaid, I have been orally informed by Managing Director, that appeal should be presented before your goodself. On going through the circular, I find that the jurisdiction is specific in respect of disciplinary cases.

Hence I am a bit puzzled to prefer appeal. Hence please advise me as to appeal in other than disciplinary cases could be entertained. On receipt of your reply, I desire to prefer appeal in respect of my grievance, the copy of which addressed to Managing Director, KTCL is enclosed, to bring to your notice about the matter, which I desire to appeal.

A line in reply is highly solicited.

-4-  
Yours faithfully.

  
( M. P. Kamat )

ENCLOSURES:

1. Circular No.489, dt,23.5.98
2. Representation to M.D.,KTCL dt.5.12.98.



~~356/c~~ 356/c

**From:**  
Shri Mahesh P. Kamat,  
DY. Financial Controller,  
Kadamba Transport Corp.Ltd,  
Panjim - Goa.

**Date:** 30.1.1999.

TO,  
Secretary (Transport),  
Govt. of Goa,  
Secretariat,  
Panjim Goa.  
Sir.

*Pl  
SUG  
1/2*

**Sub:** Non - payment of salary  
**Ref:** Circular No.KTC/Pers/19/98-99/489  
dated 23.5.1998.

With reference to the aforesaid circular I am raising this appeal before you as regards withholding of salary during the periods as below.

- (a) From 13.1.98 - 15.1.98
- (b) From 16.3.98 - 24.6.98
- (c) From 25.6.98 - 24.7.98 ( 18 1/2 days )
- (d) From 25.7.98 - 24.8.98 ( 18 days )

Facts of the case are briefly stated hereinbelow.

- (a) Undersigned is a grade 'A' officer of KTCL in the pre-revised (IV pay) scale Rs.3000-4500, vide order No.KTC/ADMN/1-2/97-98/90, dt.30.12.97, (EXH-1) I was arbitrarily ordered to sit in the open passage outside legal Advisors cabin along with class III & IV servants/officials of KTCL. This place was also outside the Asst.legal Advisors cabin, hold a lower rank than me in the organisation. The cabin occupied by the undersigned was locked and I was deprived of the proper sitting place I was hence compelled to proceed on leave from 31.12.97 to 9.1.98 and joined on 13.1.98. But could not saddle myself with unjust and improper sitting arrangement purported to be provided by the corporation. The reasons explained vide reply dt.30.12.97 (EXH.2). A No.KTC/ADMN/1-2/97-98/97, dt.16.1.98 (EXH.3) followed a duly replied on 16.1.98 (EXH.4) itself, when the claims unpaid salary was raised vide letter dt.27.6.98 Permaer vide order No.KTC/Pers/(1566)/98-99/885, dt.21.7.98 (EXH.5) replied that I was marked absent on 13th, 14th & 15th January 1998 for not replying to memo.No.KTC/ADMN/1-2/97, dt.16.1.98 till 21.7.98 which was required to be replied within 48 hrs. This was factually incorrect since memo No.97, dt.16.1.98 was replied on same day in less than 48 hours, if time was believed to be the essence of reply. Having realised his wrongful default then MD, Mr.Reddy suddenly changed his earlier stand for non payment of salary for period from 13.1.98 to 15.1.98 twisting the contents vide memo No.KTC/Pers/(568)/98-99/958, dt.28.7.98 (EXH.6)



300/e  
355/e

with words 'Found absent on seat '.

(b) Vide letter dt.16.2.98 (EXH.7), Former MD was informed that my absence was on account of forcible act of his office and for which I should not be treated as absent and that I cannot occupy the humiliating sitting arrangement with class III & IV employees of KTCL outside legal Advisors cabin. There was no response, though I was regularly visiting the Headquarters looking forward for the proper sitting arrangement under instructions vide letter KTC/Pers/566/(97-98)/2946,dt.16.2.98 (EXH.8),I stopped further correspondance and filed a writ petition which was decided on 22.6.98 wherein corporation agreed to provide cabin at Porvorim depot and pursuant to such statement made on behalf of KTCL before High court,writ petition was withdrawn. Enclosed copy of court order (EXH.9). Having intimated about proper sitting arrangement vide letter dt.24.6.98 (EXH.10), I occupied the same w.e.f. 27.6.98. Therefore the alleged absentism from 16.2.98 to 26.6.98 is not attributable to me. It was the forcible act of Mr.Reddy,Former MD that kept me away from the seat. During this period I had regularly submitted monthly attendance and is duly acknowledge by Accounts and Personnel Depts. of KTCL, It is a matter of record and admission made by KTCL that I had regularly attended enquiries during the period 16.2.98 to 26.6.98 and that during the said period I had never been Questioned about alleged absentism. Memo.No.KTC/Pers/(566)/98-99/886,dt.20.7.98 (EXH.11) is only are after thought and belated allegation after receipt of my claim for salary vide letter dt.27.6.98 (EXH.12) and reminder dt.9.7.98 (EXH.13).

(c) Vide order No.KTC/Pers/566/98-99/984,dt.31.7.98 (EXH.14) 18/2 days salary is withheld for the month of July'1998 (25.6.98-24.7.98) for the alleged reason 'Not performed any work'. A reference is drawn to memo.No.KTC/Pers/(566)/98-99/731, dt. 26.6.98 (EXH.15) which is self explanatory as regards non provision of sitting arrangement as well as duties and responsibilities till 25.6.98 vide order No.KTC/ADMN/1-2/98-99/20 dt.14.7.98 (EXH.16) imposing for the first time certain function incorporating duties and responsibilities of ATI/TI/ATC/ were purposed to be assigned to me, the fact remains that till 14.7.98 no functions were assigned to me and that improper duties and responsibilities came to be assigned were not due till 17.8.1998. Therefore withholding salary during the period 25.6.98 to 24.7.98 for not performing the work is absolutly absurd and unjustified vide reply dt.23.7.98 (EXH.17) explanation was furnished by me in response to the said order dt. 14.7.98 and as such there is absolutly no ground for withholding salary of July'1998 for alleged non-performance of work which was never assigned to me.



354e

(d) Vide order No.KTC/Pers/(566)/98-99/1196, dt.2.9.98 (EXH.18) 18 days salary is withheld during the period 15.7.98 to 24.8.98 The details of these 18 days are as below.

- (1) Attended enquiry (3 1/2 days) on 6.8.98, 13.8.98, 14.8.98 (AN) & 24.8.98.
- (2) Inspected documents relating to enquiry (3 1/2 days) on 10.8.98, 11.8.98, 12.8.98 & 14.8.98 (B.N.) .
- (3) Availed 6 days sick leave (17.8.98-22.8.98 pending sanction from personnel dept.
- (4) Availed holiday on second saturday i.e.8.8.98
- (5) Imposed deductions (4days) on 25.7.98, 27.7.98, 28.7.98, 29.7.98, 30.7.98, 1.8.98, 3.8.98 and 5.8.98 at the rate 1/2 day on above dates on the basis of Depot timings.

Before I conclude, I put forth before you the irrationality and contradictory contents of orders No.KTC/Pers/(566)/98-99/984, dt.31.7.98 and No.KTC/Pers/(566)/98-99/1196, dt.2.09.1998 to prove that predecessor of present MD acted with malafide and revengful attitude to harass and cause me mental agony and torture rather than a responsible disciplinary authority.

- 1. It is ridiculous to confirm that I have performed work exclusively on sundays and public holidays vis a vis disowning work on working days.
- 2. It is ridiculous to release pay for attending enquiries during July'98 and deny the same during Aug'98.
- 3. It is ridiculous not to process the sick leave duly applied and then withheld salary on those days.
- 4. It is ridiculous to withhold salary on the ground that no work had been performed where there was no allocation of work to me.
- 5. It is ridiculous to withhold salary for not performing work during July'98 and release the same during August'98.
- 6. It is ridiculous to impose 1/2 day absentism during Aug'98 and contradict the same during July'1998 in similar conditions.

In view of above factual position withholding of salary on differential and irrational grounds is incorrect and unjust and out of personal grudge and revenge and request your goodself to grant this appeal.

I look forward for personal hearing wherein I can furnish additional details including photographs of work place provided to a class 'A' executive admissions made by Mr.Reddy,Former MD, KTCL in the affidavit filed before High court and other exchange correspondence relevant to appeal.

Thanking you.

ENCL: EXHIBITS:  
No. 1 to 18.

Yours faithfully,  
*(Signature)*  
( M. P. Kamat )



Exn. W

385/353K

No. KTC/ADMN/1-2/97-98/205  
Office of the Managing Director,  
Kadamba Transport Corporation Ltd.,  
Panaji-Coa.

Dated:- 4/3/1998.

MEMORANDUM

The undersigned proposes to hold an inquiry against Shri M. P. Kamat, Statistical Officer under Rule 14 of the C.C.S. (Classification, Control and Appeal) Rules, 1965 which is applicable to him in terms of the Board Resolution No. 723 dated 28.9.92 and Resolution No. 901 dated 12.5.97. The substance of the imputation of misconduct in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Articles of Charges (Annexure-I). A statement of the imputations of misconduct in support of each Article of Charges is enclosed (Annexure-II). A list of documents by which the Article of Charges are proposed to be sustained are also enclosed (Annexure-III).

2. Shri M.P. Kamat, is directed to submit within 15 days of the receipt of this memorandum, a written statement of his defence and also to state whether he desires to be heard in person.

3. He is informed that an inquiry will be held only in respect of those Article of Charges that are not admitted. He should, therefore, specifically admit or deny each Article of Charge.

4. Shri M.P. Kamat is further informed that if he does not submit his written statement of defence on or before the date specified in para 2 above or does not appear in person before the Inquiry Authority or otherwise fails or refuse to comply with the provision of Rule 14 of the C.C.S. (C.C. & A.) Rules, 1965 or the orders/directions issued in pursuance of the said Rule, the Inquiry Authority may hold the inquiry against him ex-parte.

.....2/-




~~2/10~~ 352/c

5. Attention of Shri M.P. Kamat is invited to Rule 20 of the C.C.S. (Conduct) Rules, 1964, which is applicable to him in terms of above resolution, under which no Corporation servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Corporation. If any representation is received in his behalf from any person in respect of any matter dealt with in these proceedings, it will be presumed that Shri M.P. Kamat is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 20 of the C.C.S. (Conduct) Rules, 1964.

6. The receipt of this Memorandum may be acknowledged.

Encl: as above.

  
( P.S. Reddy )  
Managing Director



27/7/96  
35/11/96

ANNEXURE - I

Statement of Article of Charges framed against  
Shri M.P. Kamat, Statistical Officer, K.T.C.L.

Article of Charge - I

That the said Shri M.P. Kamat while functioning as Deputy Financial Controller during the period from 24.3.1990 to 31.10.96 neglected his duties and functions in maintaining proper and complete accounts of the Corporation and committed irregularities, which amounts to misconduct.

Article of Charge - II

That during the aforesaid period and while functioning in the aforesaid office the said Shri M.P. Kamat, Deputy Financial Controller, in connivance with Shri Shrikant V. Naik, Dy. General Manager (Tech.) and Shri Pramod A. Gaonkar, Purchase Officer, purchased non genuine Indal Aluminium bus body building materials from M/s. Vishani Enterprises at higher rates when the purchase prices of genuine Indal materials of M/s. Indian Aluminium Company Ltd., Mumbai were on the lower side thus causing monetary loss to the K.T.C.L. which amounts to grave misconduct.

Article of Charge - III

That during the aforesaid period and while functioning in the aforesaid office the said Shri M. P. Kamat in connivance with Shri Shrikant V. Naik, Dy. General Manager (Tech.) and Shri Pramod A. Gaonkar, Purchase Officer purchased excess quantity of water channel (Indal No.0339) in violation of tender documents, which amounts to misconduct.

Article of Charge - IV

That during the aforesaid period and while functioning in the aforesaid office the said Shri M.P. Kamat in



connivance with Shri Shrikant V. Naik, Dy. General Manager (Tech.) and Shri Pramod A. Gaonkar, Purchase Officer placed order for purchase of 600 RFT Al. water channel (Indal No.6339) to M/s. Vishuni Enterprises by misleading at higher rate despite they had not quoted when the quoted rate of M/s. Hindustan Sales Agency was the lowest thus causing loss to the K.T.C.L. which amounts to misconduct.

Article of Charge - V

That during the aforesaid period and while functioning in the aforesaid office the said Shri M.P. Kamat in connivance with Shri Shrikant V. Naik, Dy. General Manager (Tech.) and Shri Pramod A. Gaonkar, Purchase Officer placed supply order for purchase of 240 RFT Al. Rail Beading (Indal No.6346) with M/s. Vishuni Enterprises without calling quotations/tenders, which amounts to abuse of power.

Article of Charge - VI

That during the aforesaid period and while functioning in the aforesaid office the said Shri M.P. Kamat in connivance with Shri Shrikant V. Naik, Dy. General Manager (Tech.) and Shri Pramod A. Gaonkar, Purchase Officer placed supply order to M/s. Vishuni Enterprises for purchase of 380 ft. instead of 80 ft. Al. Rail Beading (Indal No.6346) when the quotation of Aluminium Extrusion Centre was the lowest, thus causing loss of Rs.6140.80 to K.T.C.L. and over stocking of Rs.10,998/- which amounts to misconduct.

Article of Charge - VII

That during the aforesaid period and while functioning in the aforesaid office the said Shri M. P. Kamat in connivance with Shri Shrikant V. Naik, Dy. General Manager (Tech.) and Shri Pramod A. Gaonkar, Purchase Officer purchased excess quantity of Aluminium strips (Indal No.1459) from Bhaxat Aluminium despite their name not figuring in the comparative statement when requirement was only 1000 RFT and placed



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order for 2000 RFT thereby blocking the Corporation funds, which amounts to misconduct.

Article of Charge - VIII

That during the aforesaid period and while functioning in the aforesaid office the said Shri M. P. Kamat, in connivance with Shri Shrikant V. Naik, Dy. General Manager (Tech.) and Shri Pramod A. Gaonkar, Purchase Officer purchased excess quantity of the materials than requirement at higher rate thereby blocking the funds of the K.T.C.L. and causing monetary benefits to suppliers, which amounts to abuse of powers.

Article of Charge - IX

That during the aforesaid period and while functioning in the aforesaid office the said Shri M. P. Kamat in connivance with Shri Shrikant V. Naik, Dy. General Manager (Tech.) and Shri Pramod A. Gaonkar, Purchase Officer deviated the normal procedure of purchase of materials thereby causing heavy losses to K.T.C.L. which amounts to misconduct.

Article of Charge - X

That during the aforesaid period and while functioning in the aforesaid office the said Shri M.P. Kamat in connivance with Shri Shrikant V. Naik, Dy. General Manager (Tech.) and Shri Pramod A. Gaonkar, Purchase Officer, purchased 510 RFT of Indal make of Indal No.6280 from M/s. Vishnu Enterprises without following the normal purchase procedure and without the sanction of the Competent Authority which amounts to abuse of power.

Article of Charge - XI

That during the aforesaid period and while functioning in the aforesaid office the said Shri M.P. Kamat is

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connivance with Shri Shrikant V. Naik, Dy. General Manager (Tech.) and Shri Pramod A. Gaonkar, Purchase Officer purchased excess quantity of the materials than requirement thereby blocking the funds of the K.T.C.L. and causing monetary benefits to suppliers, which amounts to abuse of powers.

Article of Charge - XII

That during the aforesaid period and while functioning in the aforesaid office the said Shri M. P. Kamat in connivance with Shri Shrikant V. Naik, Dy. General Manager (Tech.) and Shri Pramod A. Gaonkar, Purchase Officer, purchased Al. Water Channel (Indal No.6250) of 24 ft. from M/s. Vishuni Enterprises in total violation of the decision of the Purchase Committee to purchase the materials from Hindustan Sales Agency, being lowest, which amounts to misconduct.

Article of Charge - XIII

That during the period from 1.11.96 till date and while functioning in the aforesaid office, Shri M. P. Kamat, Officer did not accept the letter No.KTC/PERS/(566)/97-98/2524 dated 20.12.97 and letter No.KTC/PERS/(566)/97-98/2585 dated 30.12.97 which amounts to misconduct.

Article of Charge - XIV

That during the aforesaid period and while functioning in the aforesaid office, Shri M.P. Kamat, Officer was not found on his seat on 13.1.98, 14.1.98 and 15.1.98 B.M., which amounts to misconduct/misbehaviour.

Article of Charge - XV

That during the aforesaid period and while functioning in the aforesaid office, Shri M.P. Kamat,




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Officer, neither sign the Muster Roll nor Movement Register, despite the instruction given to him in the Order No. KTC/ADMN/1-2/97-98/99 dated 30.12.97, which amounts to misconduct.

Article of Charge - XVI

That during the aforesaid period and while functioning in the aforesaid office, Shri M.P. Kamat, Officer remained absent unauthorisedly without getting his leave sanction from Competent Authority from to till date, which amounts to misconduct.

  
( P.S. Reddy )  
Managing Director




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ANNEXURE - III

List of documents by which Article of Charges are proposed to be sustained.

- ✓ 1. Statutory Auditor's Report of K.I.C.L. for the year 1994-95.
- ✗ 2. Comments of Board of Directors on qualification contained in Statutory Auditor's Report 1994-95.
3. Purchase Order No. i) 1431 dated 21.2.94;  
ii) 1433 dated 21.12.94;  
iii) 2026 dated 19.2.94;  
iv) 1505 dated 18.11.93.
4. Purchase Enquiry No. KTC/PUR/23/58 dated 14.7.93.
5. Purchase Order No. KTC/PUR/12/1170 dated 1.10.93.
6. Purchase Enquiry No. KTC/PUR/23/39 dated 22.8.94.
- ✗ 7. Purchase Enquiry No. KTC/PUR/23/93-94/109 dated 16.8.93.
8. Comparative Statement No. 71.
- ✗ 9. Purchase Enquiry No. KTC/PUR/23/93-94/170 dated 6.10.93.
- ✗ 10. Purchase Order No. KTC/PUR/12/258 dated 4.6.94.
11. Purchase Enquiry No. KTC/PUR/23/117 dated 23.8.93.
12. Purchase Enquiry No. KTC/PUR/23/135 dated 4.9.93.
13. Comparative Statement No. 131.
14. Challan No. 1485 dated 24.12.94 & Challan No. 490 dated 21.12.94.
- ✗ 15. Comparative Statement No. 152.
16. Order No. KTC/ADMN/1-2/97-98/90 dated 30.12.97.
17. Memo No. KTC/ADMN/1-2/97-98/97 dated 16.1.98.
18. Report dated 30.12.97 of Shri G. Badwant, Peon.
- ✗ 19. Copy of letter from Personnel Office dated No. KTC/PERS/(566)/97-98/2946 dated 16.2.98.
- ✗ 20. Copy of telegram asking him to report to Head Office dated 20.2.1998.

  
( P.S. Reddy )  
Managing Director



346/e

ANNEXURE II

Statement of imputations of misconduct/misbehaviour in support of the Article of Charges framed against Shri M.P. Kamat, Officer.

Article of Charge - I

Shri M. P. Kamat was holding the post of Dy. Financial Controller from 24.3.1990 to 31.10.96. As Dy. Financial Controller it was his duty and functions to maintain properly the accounts of the Corporation. He neglected his duties and functions in maintaining proper and complete accounts of the Corporation and committed irregularities which were pointed out by the Statutory Auditors, M/s. A.K. Jhunjhunwala & Co., Bombay in respect of the Accounts for the year 1994-95 and confirmed by the Comptroller and Auditor General of India. The details of the irregularities are noted and enclosed in Annexure-A. (Here mentioned the irregularities as given in the Audit Report). Some of the irregularities mentioned in Annexure "A" were admitted <sup>in the comments by Board of Directors</sup> at Sr.No.3(i)(ii), 4(i), 4(v), 4(vi), 4(xi), XX(ii), and in Annexure at Sr.No.3 and 9 of the said comments by the then Managing Director, Shri Ian de Costa. This amounts to misconduct.

Article of Charge - II

The rates of the genuine INDAL materials of M/s. Indian Aluminium Co. Ltd., Mumbai, without CST as on 1997 is as follows:

- |                               |     |                   |
|-------------------------------|-----|-------------------|
| 1. Rail Beading 5" INDAL 6346 | ... | Rs. 31.95 per RFT |
| 2. Al. Strips INDAL 1459      | ... | Rs. 3.04 per RFT  |
| 3. Water Channel INDAL 6250   | ... | Rs. 6.15 per RFT  |
| 4. Water Channel INDAL 6339   | ... | Rs. ...           |

Whereas, the rates of M/s. Vishuni Enterprises at the time of purchase in 1993/94 without CST is as given below:

- |                                 |  |
|---------------------------------|--|
| 1. Water Channel INDAL 6339     | Rs. 540/- per piece of 15 ft.  |
|                                 | ... Rs. 36.40/RFT  |
| 2. Al. Rail Beading INDAL 6346  | Rs. 530/- per piece of 12.3"   |
|                                 | ... Rs. 41.06/RFT  |
| 3. Al. Water Channel INDAL 6250 | Rs. 11.16/RFT and the rate of M/s. Bharat Al. Co. for Al. Water Channel INDAL 1459 was @ Rs. 5.06 per RFT. |

From the above, it is seen that the prices of M/s. INDAL



In the year 1997 were much lower than the prices of M/s. Vishuni Enterprises in 1993-94. M/s. Vishuni Enterprises are not the authorised dealer or direct customer of M/s. INDAL, but the materials were purchased from M/s. Vishuni Enterprises which are not of genuine INDAL specifications. The said materials were also costlier than the material of genuine INDAL specifications. Thus, it can be safely said that the material purchased from M/s. Vishuni Enterprises were not of genuine INDAL specifications which K.T.C.L. intended to purchase. It was the duty of Shri Kamat to bring the above irregularities to the notice of higher authority at the time of scrutiny as a Purchase Committee Member and subsequently at the time of verification of the bills for payment but he in connivance with Shri Pramod A. Gaonkar, Purchase Officer and Shri Vikant V. Naik, Dy. General Manager (Tech.) affected the transaction and payment thereby causing monetary loss to K.T.C.L.

Article of Charge - III

Vide purchase Enquiry No. KTC/PUR/23/58 dated 14.7.93 quotations were called for purchase of 60 RFT of Al. Water Channel (INDAL 6339) by Shri Pramod A. Gaonkar, Purchase Officer. However, Purchase Order No. KTC/PUR/12/1170 dated 1.10.93 for purchase of 1200 RFT of Aluminium Water Channel was given to M/s. Ramesh Chandra Ltd., by him when the quantity required was 60 RFT. This shows that excess quantity were purchased without any authority and necessity. This is in violation of the tender requirement. It was the duty of Shri Kamat to bring these irregularities to the notice of higher authority at the time of scrutiny as a Purchase Committee Member and thereafter at the time of verification of the bills for payment. But he in connivance with Shri Naik and Mr. Gaonkar affected the transaction and payment. This act amounts to misconduct.

Article of Charge - IV

Vide purchase Enquiry No. KTC/PUR/23/39 dated 22.6.94 quotations were sought for purchase of 600 RFT Al. Water Channel (INDAL No. 6339, Code No. 012778 Pt. No. 3177) M/s. Bharat Aluminium Corporation, Deepok Traders, Al. Extrusion Centre, Hindustan Sales Agency gave their quotations. The purchase order for the same was given to M/s. Vishuni Enterprises vide



letter No. KTC/PUR/12/1431 dated 21.12.94 (Comparative statement 71 and Enquiry No. KTC/PUR/23/39 dated 22.6.1994) M/s. Vishuni Enterprises did not quote for the above item nor its name finds place in the comparative statement No. 71. However, in the Purchase Order No. KTC/PUR/12/1231 dated 21.11.94 is given to M/s. Vishuni Enterprises whereas, purchase enquiry No. KTC/PUR/23/39 dated 22.6.94 it has been mentioned with the sole intention to make it appear that M/s. Vishuni Enterprises has quoted for the items which in fact is misleading and deliberate. The rate given to M/s. Vishuni for one running ft. works out to Rs. 42.24 with 10% CST. The lowest quotation received with reference to the above purchase enquiry from Hindustan Sales Agency whose rate for one RFT works out to Rs. 17.04. Hence, a loss of Rs. 42.24 - 17.04 = 25.20 per RFT was caused for one RFT amounting to a total loss of Rs. 15120.00 to the Corporation. It was the duty of Shri Kamat to bring the above irregularities to the notice of higher authority as a Purchase Committee Member and subsequently when he passed the bill for payment. This would not have been possible without the collusion of Shri Kamat with Shri P. A. Gaonkar, Purchase Officer and Shri Srikant V. Naik, Dy. General Manager (Tech.). This amounts to total violation of purchase procedure and making misleading records in respect of purchases, made under Purchase Order No. KTC/PUR/12/1431 dated 21.12.94.

Article of Charge - V

Vide letter No. KTC/PUR/12/1433 dated 21.12.94, Purchase order was placed with M/s. Vishuni Enterprises for purchase of 240 RFT Al. Rail Beading (INDAL No. 6346) Code No. 012965, Part No. 200/3171 for the rate of Rs. 530/- per piece of 12.8". Purchase Enquiry No. is not mentioned in the Purchase Order, suggesting thereby that no enquiry purchase quotations were called. It can be seen in the above Purchase Order and comparative statement No. 71 dated 22.8.94 that in actuality name of M/s. Vishuni is not forthcoming in the comparative statement suggesting that the said firm had not quoted for the item. This clearly shows that M/s. Vishuni Enterprises was given purchase order without calling quotations and by creating fabricating record to give a colour of genuinity. This is in violation of the purchase procedure. It was the duty of Shri Kamat to point out the above irregularities as a Purchase Committee Member and also while verifying the bills for payment but he forwarded the bill for payment. This



was done in collusion with Shri Erikan V. Naik, Dy. General Manager (Tech.) by Shri Pramod A. Gaonkar, Purchase Officer.

Article of Charge - VI

Purchase enquiry quotations were invited vide KTC/PUR/23/93-94/109 dated 16.8.93 for only 80 RFT Al. Rail Beading (INDAL No. 6346 Code No. 012865, Part No. 200/3171) Purchase Order No. KTC/PUR/12/258 dated 4.6.94 for supply of 300 RFT was placed with M/s. Vishuni Enterprises. Amongst the firms who quoted for the above items, Aluminium Extrusion Centre was the lowest, but Karnataka Minerals was given the purchase order at a higher rate by Rs. 5.28 = (25.78 - 20.50) over that of Aluminium Extrusion Centre. It is remarked in the noting approved by Shri Erikan V. Naik, Dy. General Manager (Tech.) and Shri M. P. Kamat, Officer that, material being smaller in quantity, M/s. Aluminium Extrusion Centre would not supply the same. This contention of Dy. General Manager (Tech.) and Shri M.P. Kamat, Dy. Financial Controller has no base, as when a party who quoted for 80 RFT should be willing to supply the same quantity. The Purchase Order was placed with M/s. Vishuni Enterprises for 300 RFT instead of 80 RFT for which quotations were invited by the Corporation. The difference in rates between M/s. Vishuni Enterprises and M/s. Aluminium Extrusion Centre (who were the lowest) is Rs. 36.66 - 20.50 = 16.16. Due to this, a loss of Rs. 6140.80 was caused to the Corporation which amounts to violation of purchase procedure. This act also amounts to over-stocking of 300 RFT of Al. Rail Beading thereby blocking an amount of Rs. 10,998/- of K.T.C.L. This was done in connivance with Shri Pramod A. Gaonkar, Purchase Officer and Shri Erikan V. Naik, Dy. General Manager (Tech.) by Shri M. P. Kamat, Dy. Financial Controller as he did not point out the above irregularities at the time of scrutiny as a member of purchase committee and thereafter at the time of verifying the bills for payment.

Article of Charge - VII

Quotations were invited vide letter No. KTC/PUR/23/117 dated 23.8.93 for purchase of 500 RFT of Aluminium strips due on 24.9.93 (INDAL No. 1459 Code No. 082066). Vide Purchase Enquiry No. KTC/PUR/23/135 dated 4.9.93 quotations were invited for 500 RFT due on 27.9.93. In the comparative



statement No. 131 dated 6.10.93 in respect of the above purchase enquiry No. 117 dated 23.8.93 and 135 dated 4.9.93 the rates of Bharat Aluminium Company which indicated ASRTU rates did not appear. The Purchase Order No. KTC/PUR/12-13/1505 was placed with Bharat Aluminium Company @ Rs. 4.60 per RFT for 2000 RFT. This clearly shows that the requirement was for 1000 RFT for which quotations were invited taking into account both the indents but order placed for 2000 RFT i.e. excess material of 1000 RFT was procured without authority. An amount of Rs. 4680/- was blocked due to excess purchase. It was the duty of Mr. Kamat to bring the above irregularities to the notice of the higher authority. But he in connivance with Shri Srikant V. Naik, Dy. General Manager (Tech) and Shri Pramod A. Gaonkar, Purchase Officer passed the bills for payment.

Article of Charge - VIII

It is noticed that the materials like water channel (INDAL 6339) Rail Beading (INDAL 6346) Al. strips (INDAL 1459) and water channel (INDAL 6250) have been purchased at higher rates and excess than required without authority and necessity and in some cases even without calling for quotations. The materials were purchased even when there was sufficient stock as can be seen from stock card. The quantity purchased was more than the monthly consumption of above materials. These materials were purchased in excess despite there is a letter dated 23.4.96 of M/s. Padhye & Co. and total 65 buses were disposed off from 1992 to 1996. The quantity required was not worked out properly and consequently resulting in excess procurement and blocking of Corporation funds with sole motive to cause monetary gain to the supplier. This was done in connivance with Shri Srikant V. Naik, Dy. General Manager (Tech.) and Shri Pramod Gaonkar, Purchase Officer.

Article of Charge - IX

The normal procedure for purchase of materials is to invite quotation of the materials to be purchased. The comparative statement of the quotation/tender received is to be prepared by Purchase Officer and the Dy. General Manager (Tech.) has to give his technical opinion and recommendations. The Purchase Committee then approves the quotation and supply order is to be issued by the Purchase Officer. If any excess quantity of the materials is required to be purchased, sanction of the



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competent authority is to be obtained. But this procedure is not followed in many cases, for instances the Purchase Order No. KTC/PUR/12/1433 dated 21.12.94, KTC/PUR/12/1431 dated 21.11.94, KTC/PUR/12/2026 dated 19.2.94, KTC/PUR/12/258 dated 4.8.94, KTC/PUR/12/1505 dated 18.11.91, KTC/PUR/12/1170 dated 1.10.93, etc. In some cases the materials were purchased at higher rates and in some cases without calling quotations. In respect of Purchase Order No. 1433 dated 21.12.1994, the rate per piece of aluminium rail beading (INDAL No. 6346) is Rs. 530/- whereas, the same item received vide challan No. 490 dated 24.12.94 and in respect of purchase No. 258 dated 4.8.94 the material was received vide challan No. 485 dated 24.12.94 is Rs. 422/- per piece. This shows that there was a difference of Rs. 108/- in respect of INDAL No. 6346 supplied by the same party on the same date. This clearly shows that there was deviation in the normal procedure as regards purchase of materials and more particularly while making purchase from M/s. Vishuni Enterprises.

Vide Purchase Order No. KTC/PUR/12/1433 dated 21.12.94, No. KTC/PUR/12/1431 dated 21.11.94, No. KTC/PUR/12/2026 dated 19.2.94, No. KTC/PUR/12/258 dated 4.8.94, No. KTC/PUR/12/1505 dated 18.11.93 and No. KTC/PUR/12/1170 dated 1.10.93 and the order for purchase item under code no. 083111 (INDAL No. 6250), Al. water channel) placed with M/s. Vishuni under G.R. No. 220 dated 27.12.94 in respect of 510 RFT for Rs. 9357/- were issued in violation of standard procedure followed for purchase by Shri Pramod A. Gaonkar, Purchase Officer under recommendations of Shri Srikant V. Naik, Dy. General Manager (Tech.) and Shri M. P. Kamat, Dy. Financial Controller who were responsible for giving sanction to the above transaction.

In case of purchase orders No. KTC/PUR/12/1433 dated 21.12.94 and No. KTC/PUR/12/1431 dated 21.12.94, the name of M/s. Vishuni Enterprises does not appear in the comparative statement nor there is any record that the party had quoted for the material. There is no approval of Purchase Committee on record and the purchase order are preaudited on 18.1.95 i.e. after collecting material from M/s. Vishuni Enterprises. Prior approval was not obtained and purchase orders were not preaudited before effecting the purchases which is a must as per purchase procedure followed by K.T.C.L.



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It can be seen from Challan No. 490 dated 24.12.94 in respect of purchase order No. 1433 dated 21.12.94 the rate per piece of Al. Rail Beading (INDAL No. 6346 Code No. 012965) is Rs. 530/- whereas, the same item received vide challan No. 485 dated 24.12.94 and in respect of purchase order No. 258 dated 4.6.94 is Rs. 422/- per piece. This clearly shows that the same item INDAL no. 6346 supplied by the same party i.e. M/s. Vishuni Enterprises on one case i.e. 24.12.94 at two different rates i.e. Rs. 530/- and Rs. 422/- ( a difference of Rs. 108). However, this difference was not detected during inspection while taking into stock and while affecting payment by Shri M. P. Kamt, Dy. Financial Controller, thus causing loss of  $108 \times 19 = 2052/-$  rupees to K.T.C.L. This is a clear deviation in the normal procedure of purchases of materials and more particularly in respect of M/s. Vishuni Enterprises. Moreover, the above material was received through Kadamba bus on 27.12.94 and not through transport as in the normal course and Shri Srikant V. Naik, Dy. General Manager (Tech.) was on official tour to Bombay at Ruby Factory from 21.12.94 to 25.12.94 during which the above material was despatched by M/s. Vishuni which happens to be a sister concern of M/s. Ruby.

It can be said that for the period from 1993 to 1995 there were many irregularities in purchases for which Purchase Committee consisting of Shri Pramod A. Gaonkar, Purchase Officer, Shri Srikant V. Naik, Dy. General Manager (Tech.) and Shri M.P. Kamat, Dy. Financial Controller are held responsible being Purchase Committee members empowered to decide on the purchases of K.T.C.L. Due to these irregularities heavy losses were caused to K.T.C.L.

Article of Charge - X

Vide GRN No. 2294 dated 27.12.94 for quantity of 510 RFT of Al. Water Channel No. 083111 (INDAL 6250) was purchased from M/s. Vishuni for Rs. 9817.50. The purchase approval, quotations comparative statement of this transactions are not available in the Purchase Department. This means that the above material was procured without calling of quotations and approval of Purchase Committee, thereby violating purchase procedure, without authority and necessity, which amounts to abuse of powers.



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Article of Charge - XI

It is noticed that the materials like water channel (INDAL 6339) Rail Beading (INDAL No. 6346) Al. Strips (INDAL No. 1459) and water channel (INDAL No. 6250) have been purchased at higher rates and excess than required without authority and necessity and in some cases even without calling for quotations. The materials were purchased even when there was sufficient stock as can be seen from stock card. The quantity purchased was more than the monthly consumption of above materials. These materials were purchased in excess despite there is a letter dated 23.4.96 of M/s. Padhye & Co. and total 65 buses were disposed from 1993 to 1996. The quantity required was not worked out properly and consequently resulting in excess procurement and blocking of Corporation fund with sole motive to cause monetary gain to the supplier. These transactions were done in collusion with Shri Naik, Dy. G.M. (Tech.) and Shri Gaonker, Purchase Officer.

Article of Charge - XII

Vice purchase enquiry No. KTC/PUR/93-94/170 dated 6.10.93 quotations were invited for purchase of 24 RFT Al. water channel (INDAL No. 6250 Code No. 083111) as per the comparative statement No. 152 dated 5.11.93 Hindustan Sales Agency was the lowest, i.e. Rs. 10.66 per RFT inclusive of C.S.T. The Purchase Committee approved to give order to Hindustan Sales Agency. However, as per Purchase Order No. KTC/PUR/12/2026 dated 19.2.94 it can be seen that the order for the said item was placed on M/s. Vishni Enterprises @ Rs. 11.16 per RFT i.e. at a higher rate of 50 <sup>per</sup> pieces per RFT thereby causing monetary loss of  $(11.16 - 10.66) 24 = \text{Rs. } 12/-$ . This was done in total violation of the decision of the Purchase Committee. It was the duty of Shri Kamet to bring this irregularity at the time of verifying the bill, but he passed the bill for payment which means that the transaction was done by him in collusion with Shri Pramod Gaonker, Purchase Officer.

Article of Charge - XIII

The Peon of the Corporation, Shri G. Budwant was directed to deliver the letter No. KTC/Pers/(566)/97-98/2524 dated 20.12.1997 and No. KTC/Pers/(566)/97-98/2585 dated 30.12.97 to Shri M.P. Kamet, Officer but he reported that Shri Kamet did not accept/acknowledge the above letters which were addressed to him. Non acceptance of official correspondence



is an act of misconduct.

Article of Charge - XIV


Vide the order No. KTC/ADMN/1-2/97-98/90 dated 30.12.97 Shri M. P. Kamat, Officer was asked to sit in the head office after revocation of his suspension order. However, on verification, it was found that he was not found at his seat on 13.1.98 14.1.98 and 15.1.98 B.N. Shri Kamat committed an act of misconduct/misbehaviour as he had neither obtained prior approval nor submitted any application for remaining absent from the office.

Article of Charge - XV

Vide the order No. KTC/ADMN/1-2/97-98/90 dated 30.12.98, Shri M. P. Kamat was specifically directed to maintain his Muster Roll and movement register, But, it is found that he has neither signed the Muster Roll nor Movement Register, thus, he has disobeyed the order of his superior which amounts to misconduct.

Article of Charge - XVI

Shri Kamat was sanctioned leave from 16.1.98 to 13.2.98. After expiry of the leave period he neither reported to the head office nor he obtained any sanction of competent authority for his absence. Thus he committed an act of misconduct/misbehaviour. Further he was also informed in writing as well as telegraphically to report to head office. But till today he failed to report to head office unauthorisedly thus committing act of misconduct/misbehaviour.

  
( P. S. Reddy )  
Managing Director





No. 4/4/96-Tpt./246  
Government of Goa,  
Directorate of Transport and  
Ex-Officio Joint Secretary,  
Junta House, Panaji,

Dated:- 15th February, 1999.

16

To  
The Managing Director,  
Kadamba Transport Corporation Ltd.,  
Panaji, Goa.

Subject:- Non-payment of salary.

Sir,

I am to refer to the representation dated 30-1-1999 of Shri Mahesh P. Kamat, of Kadamba Transport Corporation addressed to the Secretary(Transport) on the above cited subject.

In this connection, and as desired by the Secretary (Transport), vide his remarks recorded on the representation referred to above (copy enclosed for ready reference), that the comments/facts be put up for his perusal and that Shri M.P. Kamat may be directed to contact Secretary.

In view of above, you are requested to put up the facts in respect of the grievances put forth by Shri Kamat in his representation in question. In the meantime, Shri Kamat may be directed to see Secretary(Transport) as desired by him.

Yours faithfully,

*P. S. Reddy*

( P. S. Reddy )  
Director of Transport &  
Ex-Officio Joint Secretary

Encl:- As above.

P.O



Directorate of Transport  
Government of Goa  
Panaji Goa

Entry No. 548  
Date: 3/2/99

From:  
Shri Mahesh P. Kamat,  
DY. Financial Controller,  
Kadamba Transport Corp. Ltd,  
Panjim - Goa.

Date: 30.1.1999.

To,  
Secretary (Transport),  
Govt. of Goa,  
Secretariat,  
Panjim Goa.

Sir,

Sub: Non - payment of salary  
Ref: Circular No.KTC/Pers/19/98-99/489  
dated 23.5.1998.

With reference to the aforestated circular I am raising this appeal before you as regards withholding of salary during the periods as below.

- (a) From 13.1.98 - 15.1.98
- (b) From 16.3.98 - 24.6.98
- (c) From 25.6.98 - 24.7.98 ( 18 1/2 days )
- (d) From 25.7.98 - 24.8.98 ( 18 days )

Facts of the case are briefly stated hereinbelow.

- (a) Undersigned is a grade 'A' officer of KTCL in the pre-revised (IV pay) scale Rs.3000-4500, vide order No.KTC/ADMN/1-2/97-98/90, dt.30.12.97, I was arbitrarily ordered to sit in the open passage outside legal Advisors cabin along with class III & IV servants/officials of KTCL. This place was also outside the Asst.legal Advisors cabin, holding a lower rank than me in the organisation. The cabin occupied by the undersigned was locked and I was deprived of the proper sitting place. I was hence compelled to proceed on leave from 31.12.97 to 9.1.98 and joined on 13.1.98. But could not saddle myself with unjust and improper sitting arrangement purported to be provided by the corporation for the reasons explained vide reply dt.30.12.97 (EXH.2). A memo. No.KTC/ADMN/1-2/97-98/97, dt.16.1.98 (EXH.3) followed and was duly replied on 16.1.98 (EXH.4) itself, when the claims for unpaid salary was raised vide letter dt.27.6.98 Former MD vide order No.KTC/Pers/(1566)/98-99/885, dt.21.7.98 (EXH.5) replied that I was marked absent on 13th, 14th & 15th January 1998 for not replying to memo.No.KTC/ADMN/1-2/97-98/97, dt.16.1.98 till 21.7.98 which was required to be replied within 48 hrs. This was factually incorrect, since memo.No. 97, dt.16.1.98 was replied on same day in less than seven hours, if time was believed to be the essence of reply. Having realised his wrongful default then MD, Mr.Reddy conveniently changed his earlier stand for non payment of salary for period from 13.1.98 to 15.1.98 twisting the contention vide memo No.KTC/Pers/(568)/98-99/958, dt.28.7.98 (EXH.6)

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*at what clear how the work is to be operational.*  
*Asst MD (KTC) to put up facts before not sh. want to follow to see*  
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*3/2/99*  
*Sec (cell)*  
*187/99*  
*2/2*

*3357*  
*3357C*



*334/c*  
*334/c*

with words 'Found absent on seat '.

(b) Vide letter dt.16.2.98 (EXH.7), Former MD was informed that my absence was on account of forcible act of his office and for which I should not be treated as absent and that I cannot occupy the humiliating sitting arrangement with class III & IV employees of KTCL outside legal Advisors cabin. There was no response, though I was regularly visiting the Headquarters looking forward for the proper sitting arrangement.under instructions vide letter KTC/Pers/566/(97-98)/2946,dt.16.2.98 (EXH.8),I stopped further correspondance and filed a writ petition which was decided on 22.6.98 wherein corporation agreed to provide cabin at Polvorim depot and pursuant to such statement made on behalf of KTCL before High court,writ petition was withdrawn. Enclosed copy of court order (EXH.9). Having intimated about proper sitting arrangement vide letter dt.24.6.98 (EXH.10), I occupied the same w.e.f. 27.6.98. Therefore the alleged absentism from 15.2.98 to 26.6.98 is not attributable to me. It was the forcible act of Mr.Reddy,Former MD that kept me away from the seat. During this period I had regularly submitted monthly attendance and is duly acknowledged by Accounts and Personnel Depts. of KTCL, It is a matter of record and admission made by KTCL that I had regularly attended enquiries during the period 16.2.98 to 26.6.98 and that during the said period I had never been Questioned about alleged absentism. Memo.No.KTC/Pers/(566)/98-99/886,dt.20.7.98 (EXH.11) is only an after thought and belated allegation after receipt of my claim for salary vide letter dt.27.6.98 (EXH.12) and reminder dt.9.7.98 (EXH.13).

(c) Vide order No.KTC/Pers/566/98-99/984,dt.31.7.98 (EXH.14) 18 1/2 days salary is withheld for the month of July'1998 (25.6.98-24.7.98) for the alleged reason 'Not performed any work'. A reference is drawn to memo.No.KTC/Pers/(566)/98-99/731, dt. 26.6.98 (EXH.15) which is self explanatory as regards non provision of sitting arrangement as well as duties and responsibilities till 25.6.98,vide order No.KTC/ADMN/1-2/98-99/20 dt.14.7.98 (EXH.16) imposing for the first time certain function incorporating duties and responsibilities of ATI/TI/ATC/TC were purported to be assigned to me, the fact remains that till 14.7.98 no functions were assigned to me and that improper duties and responsibilities came to be assigned were not due till 17.8.1998. Therefore withholding salary during the period 25.6.98 to 24.7.98 for not performing the work is absolutely absurd and unjustified.vide reply dt.23.7.98 (EXH.17) explanation was furnished by me in response to the said order dt. 14.7.98 and as such there is absolutely no ground for withholding salary of July'1998 for alleged non-performance of work which was never assigned to me.



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- (d) vide order No.KTC/Pers/(566)/98-99/1196, dt.2.9.98 (EXH.18)  
18 days salary is withheld during the period 15.7.98 to 24.8.98  
The details of these 18 days are as below.
- (1) Attended enquiry (3 1/2 days) on 6.8.98, 13.8.98, 14.8.98 (AN) & 24.8.98.
  - (2) Inspected documents relating to enquiry (3 1/2 days) on 10.8.98, 11.8.98, 12.8.98 & 14.8.98 (B.N.) .
  - (3) Availed 6 days sick leave (17.8.98-22.8.98) pending sanction from personnel dept. .
  - (4) Availed holiday on second saturday i.e.8.8.98
  - (5) Imposed deductions (4days) on 25.7.98, 27.7.98, 28.7.98, 29.7.98, 30.7.98, 1.8.98, 3.8.98 and 5.8.98 at the rate 1/2 day on above dates on the basis of Depot timings.

Before I conclude, I put forth before you the irrationality and contradictory contents of orders No.KTC/Pers/(566)/98-99/984, dt.31.7.98 and No.KTC/Pers/(566)/98-99/1196, dt.2.09.1998 to prove that predecessor of present MD acted with malafide and revengful attitude to harass and cause me mental agony and torture rather than a responsible disciplinary authority.

1. It is ridiculous to confirm that I have performed work exclusively on sundays and public holidays vis a vis disowning work on working days.
2. It is ridiculous to release pay for attending enquiries during July'98 and deny the same during Aug'98.
3. It is ridiculous not to process the sick leave duly applied and then withhold salary on those days.
4. It is ridiculous to withhold salary on the ground that no work had been performed where there was no allocation of work to me.
5. It is ridiculous to withhold salary for not performing work during July'98 and release the same during August'98.
6. It is ridiculous to impose 1/2 day absentism during Aug'98 and contradict the same during July'1998 in similar conditions.

In view of above factual position withholding of salary on differential and irrational grounds is incorrect and unjust and out of personal grudge and revange and request your goodself to grant this appeal.

I look forward for personal hearing wherein I can furnish additional details including photographs of work place provided to a class 'A' executive, admissions made by Mr.Reddy, Former MD, KTC in the affidavit filed before High court and other exchange of correspondance relevant to appeal.

Thanking you.

Yours faithfully,  
No. 1 to 18.

Yours faithfully.

( M. P. Kamat )